

CITY OF RICHFIELD, MINNESOTA

TUESDAY, SEPTEMBER 23, 2014

RICHFIELD MUNICIPAL CENTER
6700 PORTLAND AVENUE

SPECIAL CITY COUNCIL WORKSESSION

HEREDIA ROOM

5:45 P.M.

AGENDA

Call to order

(Worksession discussion times are approximate)

5:45 - 6:30 p.m.

1. Discussion regarding the Metropolitan Area Master Water Supply Plan
(Council Memo No. 91)

Notes: _____

6:30 - 6:55 p.m.

2. Discussion regarding the Draft Transportation Policy Plan comments
(Council Memo No. 91)

Notes: _____

Adjournment

REGULAR CITY COUNCIL MEETING

COUNCIL CHAMBERS

7:00 P.M.

AGENDA

INTRODUCTORY PROCEEDINGS

Call to order

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Notes: _____

Pledge of Allegiance

Approval of the minutes of the (1) Special City Council Meeting of September 3, 2014; (2) Special City Council Worksession of September 9, 2014; (3) Regular City Council Meeting of September 9, 2014; (4) Special City Council Worksession of September 9, 2014; (5)

PRESENTATIONS

1. Presentation regarding Richfield Tribute to the Arts
2. Presentation regarding Richfield Connect

COUNCIL DISCUSSION

3. Council discussion
 - Reschedule November 11, 2014 Regular City Council Meeting (Veterans' Day holiday)
 - Hats Off to Hometown Hits

Notes: _____

AGENDA APPROVAL

4. Council approval of the agenda
5. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
 - A. Consideration of the approval of the resolution designating the City's contribution toward health, term life and dental insurance premiums for General Services and Management employees in 2015 S.R. No. 160
 - B. Consideration of the approval of the continuation of the agreement with the City of Bloomington for the provision of food inspection services for 2015 S.R. No. 161
 - C. Consideration of the approval of a resolution certifying delinquent water, sanitary sewer and storm water charges to the County Auditor S.R. No. 162
 - D. Consideration of the approval of the purchase of an Ice Resurfacer in 2015 for use at the Richfield Ice Arena from Frank J. Zamboni & Co. in the amount of \$93,089.88 S.R. No. 163
 - E. Consideration of the approval of the resolutions appointing election judges and high school student trainee judges for the November 4, 2014 General Election S.R. No. 164

Notes: _____

6. Consideration of item(s), if any, removed from Consent Calendar

Notes: _____

RESOLUTION

7. Disciplinary hearing regarding a resolution imposing civil enforcement for an establishment in Richfield that recently underwent alcohol compliance checks conducted by Richfield Public Safety staff and failed by selling alcohol to underage youth

Notes: _____

PUBLIC HEARINGS

8. Public hearing regarding the issuance of a new on-sale wine license, with a pro-rated fee, for Last Call Operating Co II, Inc. d/b/a Champps Americana located at the Richfield Ice Arena, 636 East 66th Street

Staff Report No. 166

Notes: _____

9. Public hearing regarding a resolution adopting a 5-year street reconstruction plan and authorizing the issuance of street reconstruction bonds to finance the 2015 and 2016 reconstruction projects

Staff Report No. 167

Notes: _____

10. Public hearing to consider the application for the transfer of the cable system from Comcast of Minnesota, Inc., the existing cable television franchisee, to Greatland Connections, a newly formed entity that will hold the cable system

Staff Report No. 168

Notes: _____

RESOLUTION AND PROPOSED ORDINANCE

11. Consideration of a resolution and conduct a first reading of an ordinance establishing a six-month moratorium on the consideration of medical marijuana distribution facilities and schedule a public hearing and second reading of the ordinance for October 14, 2014

Staff Report No. 169

Notes: _____

CITY MANAGER'S REPORT

12. City Manager's Report

Notes: _____

13. Claims and payroll

Open forum (additional 15 minutes if more time needed after first Open Forum and by majority vote of the City Council)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Notes: _____

14. Special City Council Closed Executive Session in the Babcock Conference Room regarding meeting with outside counsel to discuss the status of litigation (Greg Peterson, Souphanny Dean, Brian Rogge and Jeff Hatzenbeller v. City of Richfield)

15. Reconvene the Regular City Council Meeting

16. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.

CITY OF RICHFIELD, MINNESOTA
Office of City Manager

September 18, 2014

Council Memorandum No. 91

The Honorable Mayor
and
Members of the City Council

Subject: Draft Transportation Policy Plan Comments
Metropolitan Area Master Water Supply Plan
(Worksession Agenda Items No. 1 & 2)

Council Members:

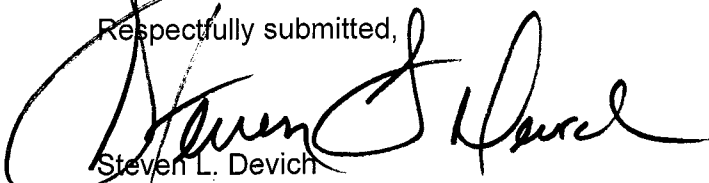
At the upcoming City Council worksession two items will be discussed:

1. Draft Transportation Policy Plan Comments – Comments are due October 1, 2014 to the Metropolitan Council regarding their draft 2040 Transportation Policy Plan. Staff has drafted the attached comments for consideration and discussion at the worksession. Please bring any additional comments you would like included in the comment submittal.
2. Metropolitan Area Master Water Supply Plan – The Metropolitan Council, in cooperation with the Department of Natural Resources (DNR), is currently updating the Metropolitan Area Master Water Supply Plan. Once the update is completed and adopted municipalities will be required by statute to update their Local Water Supply Plans to conform to the new Master Plan. Staff is concerned that the new plan is heading towards a recommendation that cities, like Richfield, move to either a dual supply source which includes surface water and groundwater or to a solely surface water supply.

For the purposes of understanding how the region's water supply planning may impact Richfield's groundwater source, staff has invited Ali Elhassan (Met Council) and Jason Moeckel (DNR) to attend a worksession. For more details prior to the meeting, you may refer to Council Memo No. 82.

Please contact Mike Eastling, Public Works Director, at 612-861-9792 with questions.

Respectfully submitted,



Steven L. Devich
City Manager

Attachment: Draft Richfield TPP Comments Letter
SLD: jp

Public Works Department

September 23, 2014

Metropolitan Council
390 Robert St N.
Saint Paul, MN 55101

Subject: Comments on Draft 2040 Transportation Policy Plan

Dear Council Members:

The City of Richfield policymakers and staff have reviewed the draft 2040 TPP and would like to provide the following comments:

- Goal C2 - *Local units of government should provide a system of interconnected arterial roads, streets, bicycle facilities, and pedestrian facilities to meet local travel needs using Complete Streets principles.*
- Goal C9 - *The Council will support investments in A-minor arterials that build, manage, or improve the system's ability to supplement the capacity of the principal arterial system and support access to the region's job, activity, and industrial and manufacturing concentrations.*
 - The City supports a multimodal system and has passed a Complete Streets Policy. However, in more urban locations such as Richfield, the Minor arterials often time are also a "local street" that directly serve residences and businesses within the City. These streets are also the only crossing of Principal arterial barriers for pedestrians and bicyclists. **We believe the priority should be to add capacity to the metropolitan highway system first and accommodate that regional traffic on our urban Minor arterials second.** Asking these local, urban roadways to accommodate an increased volume of traffic, not in a pattern of incident relief but on a daily basis that should instead be on the Principal arterials means that limited right-of-way space is allocated towards additional travel lanes instead of pedestrian and bicycle facilities. **This policy of supplementing freeway capacity on urban, fully developed Minor arterials instead of adding the capacity on the Principal systems seems contradictory to many of the TPP goals and certainly hurts the ability of the City to implement Complete Streets principles in constricted areas.**
- Goal C10 - **Regional transportation partners will manage access to principal and A-minor arterials to preserve and enhance their safety and capacity.**
 - The focus of this goal seems to be on ex-urban and rural locations where stricter access control on Minor arterials can be incorporated into development and future land use plans. In denser, fully built out locations such as Richfield, the number of access points per mile along a Minor arterial can exceed 100 with little to no opportunity to reduce those locations. In these cases the actual role of the street and it's designation as a Minor arterial, as defined in this section of the TPP, can blur and conflict with one another. This results in opposing goals and visions for the street on a City, County and Regional level.

- Goal C12, Part F- Transit Investment Direction
 - The City supports Bus Rapid Transit as a lower-cost, high-benefit method of increasing transit service. There should be a greater emphasis on the build out of these systems in the future.
 - The identified Orange Line BRT and the Nicollet and Chicago/Portland ABRT Lines will have a direct benefit for transit users in Richfield as well as redevelopment opportunities within the City.
- Part E - Highway Investment Prioritization
 - The City believes a priority should be given to highway capacity projects that directly support previous investments, such as additional capacity on Crosstown Highway 62 on either end of the recently completed I-35W/Crosstown project.
 - Additionally, focus should be directed at improvements that can be made with the existing right-of-way system. This will contribute to lower-cost, higher-benefit solutions that minimize impact to surrounding communities.
 - Spot improvements for congestion mitigation are a great cost-effective tool but the need and importance of larger scale, long-term congestion mitigation projects should not be minimized.

We appreciate the ability to comment of the draft 2040 TPP and hope that you will strongly consider our concerns in any revisions or additions to the Plan.

Sincerely,

Mayor Debbie Goettel
City of Richfield

DG:jp

c Richfield City Council
Steve Devich
Mike Eastling



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Special City Council Meeting

September 3, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:00 p.m. in the Bartholomew Conference Room.

ROLL CALL

Council Members Present:

Debbie Goettel, Mayor; Suzanne M. Sandahl, Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present:

Steven L. Devich, City Manager; Mike Eastling, Public Works Director; John Stark, Community Development Director; Wayne Kewitsch, Fire Services Director; Bill Fillmore, Municipal Liquor Operations Director; Jay Henthorne, Acting Public Safety Director; Jim Topitzhofer, Recreation Services Director; Chris Regis, Finance Manager; Pam Dmytrenko, Assistant City Manager; and Cheryl Krumholz, Executive Coordinator.

Item #1	DISCUSSION OF 2014 REVISED/2015 PROPOSED BUDGET AND 2015 PRELIMINARY TAX LEVY
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City Manager Devich introduced the 2015 proposed budget and preliminary tax levy.

Finance Manager Regis presented the overall budget and tax levy PowerPoint.

City Manager Devich reviewed the Legislative/Executive Department budgets.

Finance Manager Regis and Assistant City Manager Dmytrenko reviewed the Administrative Services Department budgets.

Acting Public Safety Director Henthorne reviewed the Public Safety Department budgets.

Fire Services Director Kewitsch reviewed the Fire Services Department budgets.

Community Development Director Stark reviewed the Community Development Department budgets.

Public Works Director Eastling reviewed the Public Works Department budgets. He stated the Utility budgets would be discussed at the October 14, 2014 City Council Worksession.

Recreation Services Director Topitzhofer reviewed the Recreation Services Department budgets.

Municipal Liquor Operations Director Fillmore reviewed the Liquor Operations Department budgets.

ADJOURNMENT

The City Council Meeting was adjourned by unanimous consent at 8:25 p.m.

Date Approved: September 23, 2014.

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Director

Steven L. Devich
City Manager



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

September 9, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:41 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl, Edwina Garcia; Pat Elliott; and Tom Fitzhenry.

Staff Present: Mike Eastling, Acting City Manager; Kristin Asher, Assistant Public Works Director; Robert Hintgen, Utilities Superintendent; and Cheryl Krumholz, Executive Coordinator.

Item # 1

DISCUSSION RELATED TO THE METROPOLITAN COUNCIL'S CURRENT EFFORTS TO UPDATE THE METROPOLITAN AREA MASTER WATER SUPPLY PLAN (COUNCIL MEMO NO. 85)

Acting City Manager Eastling explained the updating of the Metropolitan Area Master Water Supply Plan, including the plan's recommendation that cities, like Richfield, move to either a dual supply source which includes surface water and groundwater or to a solely surface water supply plan.

Staff members from the Metropolitan Council and Department of Natural Resources will be attending the September 23, 2014 City Council Worksession to discuss the new water supply plan.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:50 p.m.

Date Approved: September 23, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Mike Eastling
Acting City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

September 9, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m.

Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; Edwina Garcia; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; John Stark, Community Development Director; Mike Eastling, Public Works Director; Jim Topitzhofer, Recreation Services Director; Wayne Kewitsch, Fire Services Director; Chris Regis, Finance Manager; Karen Barton, Assistant Community Development Director; Melissa Poehlman, City Planner; Bob Vose, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

Susan Rosenberg, 6633 Thomas Avenue, spoke about Garden Club activities.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Garcia, S/Fitzhenry to approve the minutes of the (1) Special City Council Worksession of August 26, 2014; and (2) Regular City Council Meeting of August 26, 2014.

Motion carried 5-0.

Item #1

**PRESENTATION OF THE 2014 RICHFIELD IN BLOOM AWARD WINNERS
(COUNCIL MEMO NO. 86)**

Mayor Goettel and Assistant Community Development Director Barton presented the awards.

Item #2	PRESENTATION FROM FRED BABCOCK VFW POST 5555 (COUNCIL MEMO NO. 88)
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Len Gudmunson, former Commander, presented an overview of the VFW's programs, including several scholarship programs.

Item #3	PRESENTATION REGARDING OPEN STREETS AT PENN FEST (COUNCIL MEMO NO. 87)
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Recreation Services Director Topitzhofer presented an overview of the upcoming event.

The Minnesota Magicians spoke about their continuing community involvement.

Item #4	COUNCIL DISCUSSION <ul style="list-style-type: none">• Hats Off to Hometown Hits
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Council Member Fitzhenry acknowledged a recent tree removal process.

Council Member Garcia acknowledged the efforts of the City Manager and City staff on the budget preparation and presentation.

Item #5	COUNCIL APPROVAL OF AGENDA
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M/Sandahl, S/Fitzhenry to approve the agenda.

Motion carried 5-0.

Item #6	CONSENT CALENDAR
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- A. Consideration of the approval of the resolutions pertaining to the annual Lyndale/HUB/Nicollet (LHN) maintenance assessment process and scheduling a public hearing for October 14, 2014 S.R. No. 146

RESOLUTION NO. 10955

RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT FOR LYNDAL/HUB/NICOLLET (LHN) MAINTENANCE FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

This resolution appears as Resolution No. 10955.

RESOLUTION NO. 10956

RESOLUTION PROPOSING TO SPECIALLY ASSESS FOR THE COSTS OF CURRENT SERVICES PROVIDED WITHIN THE LYNDAL/HUB/NICOLLET (LHN) PROJECT AREA FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

This resolution appears as Resolution No. 10956.

- B. Consideration of the approval of the resolutions pertaining to the annual 77th Street maintenance district assessment process and scheduling a public hearing for October 14, 2014 S.R. No. 147

RESOLUTION NO. 10957

RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR 77TH STREET MAINTENANCE
FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

This resolution appears as Resolution No. 10957.

RESOLUTION NO. 10958

RESOLUTION PROPOSING TO SPECIALLY ASSESS FOR THE COSTS OF CURRENT
SERVICES PROVIDED WITHIN THE 77TH STREET PROJECT AREA FOR THE PERIOD
JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

This resolution appears as Resolution No. 10958.

- C. Consideration of the approval of the resolution declaring the costs to be assessed for the removal of diseased trees from private property for work ordered in 2013 and scheduling a public hearing for October 14, 2014 S.R. No. 148

RESOLUTION NO. 10959

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR REMOVAL OF DISEASED TREES FROM PRIVATE
PROPERTY FOR THE PERIOD OF JANUARY 1, 2013 TO DECEMBER 31, 2013

This resolution appears as Resolution No. 10959.

- D. Consideration of the approval of a resolution declaring costs to be assessed and ordering the preparation of the proposed assessment roll for weed elimination from private property and removal or elimination of public health or safety hazards from private property and setting the public hearing for October 14, 2014 S.R. No. 149

RESOLUTION NO. 10960

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR WEED ELIMINATION FROM PRIVATE PROPERTY
AND REMOVAL OR ELIMINATION OF PUBLIC HEALTH OR SAFETY HAZARDS FROM
PRIVATE PROPERTY

This resolution appears as Resolution No. 10960.

- E. Consideration of the approval of a resolution declaring costs to be assessed and ordering preparation of the proposed assessment roll for unpaid false alarm user fees against private property and setting the public hearing for October 14, 2014 S.R. No. 150

RESOLUTION NO. 10961

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION
OF PROPOSED ASSESSMENT FOR
UNPAID FALSE ALARM FEES FROM PRIVATE PROPERTY

This resolution appears as Resolution No. 10961.

- F. Consideration of the approval of the purchase of a Fire Pumper Chassis for \$181,681 in 2014 and a Fire Pumper Body for \$244,613 in 2015, totaling \$426,294, from Roesenbauer Firefighting Technology S.R. No. 151
- G. Consideration of the approval of a 5-year lease agreement with the Minnesota Department of Health for air monitoring equipment located at the Richfield Water Treatment Facility S.R. No. 152

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 5-0.

Item #7	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #8	PUBLIC HEARING TO CONSIDER A RESOLUTION AUTHORIZING THE REPROGRAMMING OF FUNDS FOR THE 2013 AND 2014 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM THE PENN AVENUE FAÇADE PROGRAM TO THE PENN AVENUE STREETScape IMPROVEMENTS S.R. NO. 153
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Council Member Sandahl presented Staff Report No. 153.

Assistant Community Development Director Barton explained the change was due to federal regulations in administering the program.

M/Fitzhenry, S/Sandahl to close the public hearing.

Motion carried 5-0.

M/Sandahl, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10962

RESOLUTION REPROGRAMMING 2013 AND 2014 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS AND AUTHORIZING EXECUTION OF SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY AND ANY REQUIRED THIRD PARTY AGREEMENTS

Motion carried 5-0. This resolution appears as Resolution No. 10962.

Item #9	CONSIDERATION OF THE SECOND READING OF AN ORDINANCE AMENDING SUBSECTION 547.05, SUBDIVISION 4, AND SUBSECTION 547.11 RELATED TO THE CONSIDERATION OF VARIANCE APPLICATIONS AND A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF THE ORDINANCE S.R. NO. 154
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Council Member Fitzhenry presented Staff Report No. 154.

M/Fitzhenry, S/Goettel that this constitutes the second reading of Bill No. 2014-5, amending Subsection 547.05, Subdivision 4 and Subsection 547.11 related to the consideration of variance

applications, that it be published in the official newspaper and that it be made part of these minutes, and that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10968

RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE
AMENDING APPENDIX B (ZONING) OF THE RICHFIELD CITY CODE

Motion carried 5-0. This resolution appears as Resolution No. 10968.

Item #10	CONSIDERATION OF A RESOLUTION GRANTING A CONDITIONAL USE PERMIT AND VARIANCES FOR A 22.6-FOOT FRONT BUILDING SETBACK AND A 6-STALL PARKING REQUIREMENT REDUCTION IN ORDER TO ALLOW A BUILDING ADDITION AT 6736 PENN AVENUE S.R. NO. 155
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Council Member Garcia presented Staff Report No. 155.

Council Member Garcia stated that normally she would not support this resolution but Penn Avenue is unique with business constraints. The proposed addition does not include an increase in seating capacity. She questioned if City staff has encouraged the applicant to seek employee parking in another area to allow customer parking.

City Planner Poehlman responded that the applicant was provided with additional contacts in the area but is not aware if those contacts have been made.

M/Garcia, S/Elliott that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10963

RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT
AND SETBACK AND PARKING VARIANCES FOR A BUILDING ADDITION AT
6736 PENN AVENUE

Motion carried 5-0. This resolution appears as Resolution No. 10963.

Item #11	CONSIDERATION OF A PROCESS TO AMEND THE ZONING ORDINANCE PERTAINING TO THE REGULATION OF ODOR EMISSIONS S.R. NO. 156
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Council Member Elliott presented Staff Report No. 156.

M/ Elliott, S/Goettel to approve a process to amend the Zoning Ordinance pertaining to the regulation of odor emissions.

Council Member Elliott stated he appreciated the work City staff has done on this issue.

Council Member Garcia stated she did not support a change in the process because it is a fairness issue since other businesses work well with staff and acknowledge the City's ordinances. She discussed working with Congressman Ellison to establish Penn Avenue as an Enterprise Zone as an investment in the development potential.

Council Member Fitzhenry expressed support for a change in the process because there should be flexibility.

Mayor Goettel stated concern about the fairness to businesses and that she did not support the proposed language in Part B as it is written.

Council Member Sandahl questioned how the language as proposed would apply to the Fireside odor control issue.

Community Development Director Stark explained the existing language is open to interpretation. He stated that since the Fireside addition is new, it could be built to accommodate odor control if there were complaints.

Council Member Elliott stated that staff has two weeks to prepare the process with the proposed language.

Council Member Sandahl said she supported a change in the process because the proposed language would hopefully improve the interpretation.

Community Development Director Stark explained the review process to amend the Zoning Ordinance.

Motion carried 3-2. (Goettel and Garcia oppose).

Item #12	CONSIDERATION OF A RESOLUTION GRANTING AN APPEAL OF ODOR CONTROL REQUIREMENTS FOR 6736 PENN AVENUE S.R. NO. 157
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Council Member Elliott presented Staff Report No. 157.

M/Elliott, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10964

RESOLUTION APPROVING AN APPEAL OF ODOR CONTROL REQUIREMENTS
FOR 6736 PENN AVENUE

Mayor Goettel stated she would support the resolution if No. 2 is removed.

Community Development Director Stark clarified the odor control remedy options.

A commercial air design representative stated the Fireside menu is not being changed to create an odor issue and there are no existing complaints.

Council Member Elliott asked the commercial air design representative if the Fireside building can be designed to accommodate the installation of odor control equipment if complaints are received.

The commercial air design representative answered yes, that could be done.

Mayor Goettel made a friendly amendment to the original motion to remove No. 2 from the resolution.

Council Member Elliott accepted the amendment.

M/Goettel, S/Elliott to amend the resolution by removing No. 2.

Original motion carried 5-0.

Motion on friendly amendment to the resolution carried 5-0. This resolution appears as Resolution No. 10964.

Item #13	CONSIDERATION OF A RENTAL AGREEMENT BETWEEN THE CITY OF RICHFIELD AND THE MINNESOTA MAGICIANS FOR THE USE OF THE NEWLY CONSTRUCTED ICE ARENA LOCKER ROOM S.R. NO. 158
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Council Member Garcia presented Staff Report No. 158.

M/Garcia, S/Goettel to approve the rental agreement between the City of Richfield and the Minnesota Magicians for the use of the newly constructed Ice Arena locker room.

Motion carried 5-0.

Item #14	CONSIDERATION OF THE 2014 REVISED/2015 PROPOSED BUDGET RESOLUTIONS ADOPTING THE 2015 PRELIMINARY PROPERTY TAX LEVY, SETTING THE TRUTH IN TAXATION HEARING DATE, AUTHORIZING BUDGET REVISIONS, AND AUTHORIZING REVISION OF THE 2014 BUDGET OF VARIOUS DEPARTMENTS S.R. NO. 159
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Mayor Goettel presented Staff Report No. 159.

Mayor Goettel stated the preliminary gross tax levy is a 1.53% increase and the Truth-in-Taxation hearing is scheduled on December 2, 2014 at 6 p.m.

M/Goettel, S/Sandahl that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 10965

RESOLUTION ADOPTING A PROPOSED BUDGET AND TAX LEVY
FOR THE YEAR 2015

RESOLUTION NO. 10966

RESOLUTION AUTHORIZING BUDGET REVISIONS

RESOLUTION NO. 10967

RESOLUTION AUTHORIZING REVISION OF 2014 BUDGET OF VARIOUS
DEPARTMENTS

Motion carried 5-0. These resolutions appear as Resolution Nos. 10965-10967.

Item #15	CITY MANAGER'S REPORT
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None.

Item #16	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Elliott that the following claims and payrolls be approved:

		09/09/14
U.S. Bank		
A/P Checks: 234026-234391	\$	1,234,161.30
Payroll: 103990-104362; 42182-42239	\$	609,320.00
TOTAL	\$	1,843,481.30

Motion carried 5-0.

OPEN FORUM

None.

ADJOURNMENT

The City Council meeting was adjourned by unanimous consent at 8:35 p.m.

Date Approved: September 23, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

September 9, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 8:43 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl, Edwina Garcia; Pat Elliott; and Tom Fitzhenry.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Jeff Pearson, Transportation Engineer; and Cheryl Krumholz, Executive Coordinator.

Item # 1

DISCUSSION REGARDING THE MINIMAL IMPACT ALTERNATIVE FOR CONSIDERATION ON 66TH STREET BETWEEN I-35W AND PENN AVENUE (COUNCIL MEMO NO. 85)

Transportation Engineer Pearson and Maury Hooper, Hennepin County Transportation Engineer, presented information regarding the Minimal Impact Alternative, including crash analysis and property impacts. Also discussed were the right-of-way impacts based on the preferred concept east of I-35W.

There is a 66th Street Reconstruction Open House on September 25 at the Richfield Community Center.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 9:36 p.m.

Date Approved: September 23, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MINUTES

Richfield, Minnesota

Special City Council Worksession

September 15, 2014

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 9:05 a.m. in the Bartholomew Room.

Council Members Present: Debbie Goettel, Mayor; Sue Sandahl; Pat Elliott; and Tom Fitzhenry.

Council Members Absent: Edwina Garcia.

Staff Present: Steven L. Devich, City Manager; Kristin Asher, Acting Public Works Director; John Stark, Community Development Director; Jim Topitzhofer, Recreation Services Director; Wayne Kewitsch, Fire Services Director; Mike Koob, Acting Public Safety Director; Pam Dmytrenko, Assistant City Manager/HR Manager; and Cheryl Krumholz, Executive Coordinator.

Item # 1

DISCUSSION WITH U.S. REPRESENTATIVE KEITH ELLISON, 5TH CONGRESSIONAL DISTRICT

The City Council, City staff and Congressman Ellison discussed the following:

- Section 8 funding
- 77th Street underpass funding
- Designation of Penn Avenue business district as Enterprise Zone
- Communication between the Congressman's office and the City
- RNAV (aircraft area navigation)
- Railroads transporting Bakken oil
- U.S. Citizenship & Immigration Services
- Market Place Fairness Act
- Municipalities Continuing Disclosure Cooperation Initiatives
- Immigration Policies

ADJOURNMENT

The meeting was adjourned by unanimous consent at 10:05 a.m.

Date Approved: September 23, 2014

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MINUTES

Richfield, Minnesota

Special Concurrent City Council and Housing and Redevelopment Authority Worksession

September 15, 2014

CALL TO ORDER

The meeting was called to order by HRA Chair Sandahl at 6:00 p.m. in the Bartholomew Room.

Council Members Present: Debbie Goettel, Mayor; Pat Elliott; Sue Sandahl; Edwina Garcia; and Tom Fitzhenry.

HRA Members Present: Sue Sandahl, HRA Chair, Mary Supple; and Debbie Goettel.

HRA Members Absent: David Gepner and Doris Rubenstein.

Staff Present: John Stark, Acting City Manager/HRA Executive Director; Karen Barton, Assistant Community Development Director; and Nancy Gibbs, City Clerk.

Item #1

PRESENTATION FROM MYRON ORFIELD, DIRECTOR OF THE INSTITUTE ON METROPOLITAN OPPORTUNITY, REGARDING CONCERNS ABOUT DISCRIMINATION IN HOUSING AND EDUCATION POLICY (COUNCIL MEMO NO. 89/HRA MEMO 34)

Myron Orfield, Director of the Institute on Metropolitan Opportunity, made a PowerPoint presentation regarding concerns about discrimination in housing and education policy.

The City Council directed staff to provide a sample resolution in support of Mr. Orfield's policy to be considered at a future City Council meeting.

ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:57 p.m.

Date Approved: September 23, 2014.

Debbie Goettel
Mayor

Nancy Gibbs
City Clerk

John Stark
Acting City Manager/HRA Executive Director

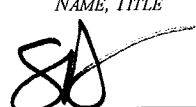
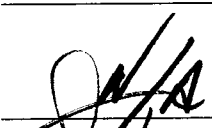
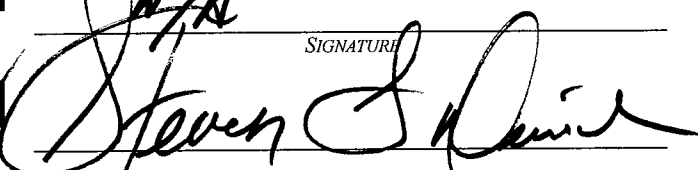


AGENDA SECTION: CONSENT
AGENDA ITEM # 5A
REPORT # 160

STAFF REPORT

CITY COUNCIL MEETING

SEPTEMBER 23, 2014

REPORT PREPARED BY:	JESSE SWENSON, ASSISTANT HR MANAGER
	NAME, TITLE
DEPARTMENT DIRECTOR REVIEW:	<input checked="" type="checkbox"/> 
	SIGNATURE
OTHER DEPARTMENT REVIEW:	<input type="checkbox"/> 
	SIGNATURE
REVIEWED BY CITY MANAGER:	<input checked="" type="checkbox"/> 
	SIGNATURE

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the resolution designating City's contribution toward health, term life and dental insurance premiums for General Services and Management employees for 2015.

I. RECOMMENDED ACTION:

By Motion: Adopt the resolution designating the City's contribution toward health, term life and dental insurance premiums for General Services and Management employees for 2015.

II. EXECUTIVE SUMMARY

The City contributes to the cost of premiums for four kinds of insurance coverages available to City employees. Full-time Management and General Services employee contributions are discussed within this staff report as well as contributions toward health insurance for part-time regular General Services employees. Other employees are covered under terms of labor agreements.

The 2015 health insurance premium increase is 10.5%. This is the rate cap under the five year agreement between the Local Government Information Systems Association (LOGIS) and Blue Cross Blue Shield (BCBS). This will be the fourth year of that contract. LOGIS went out for bids for life insurance for 2015 and selected SunLife/NJPA for basic life insurance and accidental death and dismemberment coverage. With this new plan, the City is able to continue to provide basic life insurance at a rate of \$35,000. This policy provides enhanced benefits to the employees and has a five-year rate guarantee. The 2015 dental

rates have increased by \$6.00 for employee only coverage. The City self-insures its dental coverage.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

LIFE

A \$35,000 term life insurance policy is provided for all full-time Management and General Services employees. The City pays the full premium for this insurance. The rate for 2015 will decrease to \$1.75 per month per employee.

DENTAL

The second type of insurance provided to full-time Management and General Services employees is a self-funded group dental insurance. In 2014, the City contributed \$52.50 per month per employee for the total cost of employee (not dependent) coverage. For 2015, the City's contribution will increase to \$58.50 per month per employee. Employees who desire dependent coverage must pay the full cost of such additional premium, which will be \$63.50 per month for 2015 – a six dollar increase from 2014. Since dental insurance is self-funded, the City establishes the dental rates from year to year internally, based upon administrative and benefit payout cost data. Analysis of the dental fund performance for the past three years indicates that a rate increase is necessary.

HEALTH INSURANCE FOR FULL-TIME EMPLOYEES

The third type of insurance coverage available to full-time Management and General Services employees is group health coverage. LOGIS will again offer plans through BCBS.

In 2015, the City will offer employees a choice of three BCBS plans, with the choice of networks in both plans. The plans include a co-pay for services and a high deductible plan with a Health Savings Account (HSA). New this year will be an additional high deductible plan with a Health Savings Account (HSA) with a deductible amount of \$4000/\$8000. Employees can choose between the Aware and Accord networks, and the BluePrint network for the \$2600/\$5200 High Deductible plan. The Accord network is slightly less costly because it does not include Mayo or Hazelden in its in-network, and the BluePrint network is nine to thirteen percent less than the other two networks because it includes only Allina Health locations in the 11-county metro area.

In an effort to remain flexible and keep rate increases as low as possible, LOGIS will continue to offer a four-tier system, giving employees the choice of employee only, employee plus spouse, employee plus child(ren) and family option coverage. By providing this four-tier rating system some employees are able to benefit by choosing the employee plus spouse option or employee plus child(ren) option.

The City will continue to pay the full individual employee premium and provide an additional contribution toward dependent coverage up to a specified maximum insurance premium. The health insurance premium increase for 2015 is 10.5%. Staff is proposing that the City increase the 2015 monthly contribution by \$55 per month for dependent coverage and \$60 per month for family coverage. The 2015 City monthly contribution would then increase to \$1045 for the employee plus spouse and employee plus child(ren) tiers and \$1100 for the family coverage tier.

Full-time employees have the option to waive health insurance coverage through the City. Employees electing to waive coverage will not receive an additional monthly stipend because of the Patient Protection and Affordable Care Act (ACA). The ACA could deem any incentive to employees to waive coverage as a violation of anti-discrimination rules.

The City's contribution for Management and General Services employees, as a percent of premium over the past several years, is shown in *Attachment 1*.

The 2014 and 2015 monthly premium costs of the two offered health plans are dependent on the type of network selected: Aware, Accord or BluePrint.

	2014 BCBS Deductible w/co-pay	2015 BCBS Deductible w/co-pay	2014 BCBS \$2500 Ded. with HSA	2015 BCBS \$2600 Ded. with HSA	2015 BCBS \$4000 Ded. with HSA
Employee Only	\$ 669.50 Or \$ 644.00	\$ 741.24 Or \$ 712.74	\$ 500.00 Or \$ 481.50 Or \$ 436.50	\$ 553.24 Or \$ 532.74 Or \$ 483.24	\$ 505.74 Or \$ 486.24
Employee Plus Spouse	\$1,407.00 Or \$1,050.50	\$1,555.74 Or \$1,495.24	\$1,050.50 Or \$1,010.00 Or \$ 917.00	\$1,160.74 Or \$1,116.24 Or \$ 1,013.74	\$1,160.74 Or \$1,116.24
Employee Plus Child(ren)	\$1,339.00 Or \$1,287.50	\$1,480.74 Or \$1,423.74	\$1,000.50 Or \$ 962.00 Or \$ 873.50	\$1,105.74 Or \$1,063.24 Or \$ 965.74	\$1,105.74 Or \$1,063.24
Family	\$1,741.50 Or \$1,675.00	\$1,925.74 Or \$1,852.24	\$1,300.50 Or \$1,251.00 Or \$1,135.00	\$1,436.74 Or \$1,382.24 Or \$1,254.24	\$1,436.74 Or \$1,382.24

HEALTH INSURANCE FOR PART-TIME REGULAR EMPLOYEES

The City will continue to contribute 75% of the single health care premium for part-time regular employees. The City will also continue to pay one-half of what it pays for full-time employees towards dependent coverage. In 2015, that amount will increase to \$522.50 per month for the employee plus spouse and employee plus child(ren) tiers and \$550.00 per month for the family coverage tier. Part-time employees may opt out of health insurance altogether.

LONG-TERM DISABILITY (LTD)

The fourth type of insurance provided, and fully-funded by the City, to all full-time employees in all employee groups is long-term disability insurance (LTD). LTD is provided through a group policy secured by the City. 2015 is the third year of a three year contract with the provider, Assurant. Assurant's 3-year rate guarantee came in at 30% under the City 2012 LTD rates. The LTD rate for 2013-2015 is 24 cents per \$100 of covered payroll.

B. POLICY

- The City continues to provide adequate insurance protection for the Management and General Services employee groups, which are comparable to other City employee groups, as well as employees performing similar jobs in comparable communities.
- By providing the same coverages, greater benefit equality is achieved between female classes found in Management and General Services groups and male classes found in the contracted labor units.

C. CRITICAL TIMING ISSUES

- The City should implement the premium increases for coverages by December 1, 2014. Payroll deductions for January 2015 insurance payments - the beginning of the new insurance period - are calculated in December.
- Premiums for all coverages should be determined at the September 23, 2014 City Council meeting in order for staff to be adequately prepared for open enrollment, scheduled to begin October 29, 2014.

D. FINANCIAL

- The funding necessary to provide for the premium contributions, as recommended, will be addressed in the 2015 Budget and within the current proposed 2015 tax levy.
- Richfield's contribution will remain about average with those of comparable metro cities.

E. LEGAL

- In order to provide the requested insurance benefit changes, the City Council must approve the resolution designating the City's contribution toward health, term life, long-term disability, and dental insurance premiums for General Services and Management employees.

F. ENVIRONMENTAL CONSIDERATIONS

- None.

IV. ALTERNATIVE RECOMMENDATION(S)

- The Council may decide to adjust the City's contribution to dependent health insurance by an amount other than \$55 per month and \$60 per month.
- The Council may take no action which would maintain the insurance premiums at the current 2014 funding level.
- Defer discussion to another date.

V. ATTACHMENTS

- Resolution
- City's Contribution Toward Dependent Health Insurance as a Percent of Total Premium Cost

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- None

RESOLUTION NO. _____

**RESOLUTION DESIGNATING CITY'S CONTRIBUTION
TOWARD HEALTH, TERM LIFE, LONG-TERM DISABILITY AND DENTAL INSURANCE
PREMIUM FOR MANAGEMENT AND GENERAL SERVICES EMPLOYEES**

WHEREAS, the hospital-medical/surgical group health insurance plan is available from the LOGIS Health Insurance program for City employees and their families; and

WHEREAS, a term life and accidental death and dismemberment insurance plan is available from the Local Government Information Systems Association (LOGIS) for City employees; and

WHEREAS, a self-funded group dental insurance plan is available to City Management and General Services employees and their families; and

WHEREAS, a group short-term and long-term disability program is available to City Management and General Services employees; and

WHEREAS, the City Council is required to determine by resolution the City's contribution toward the premium for employee group insurance coverages.

NOW, THEREFORE, BE IT RESOLVED that the City shall contribute a maximum of \$1,100 per month for family health insurance to full-time employees, and in any event, said contributions shall not exceed the cost of single coverage for employees selecting that option. For all full-time Management and General Services employees, the City shall also pay the \$58.50 monthly premium for the offered dental insurance plan, and the \$1.75 monthly premium for the term life and accidental death and dismemberment insurance plan, for a total possible maximum 2015 insurance premium contribution of \$1,160.25 per month. The City shall contribute 75% of the single health care premium for part-time regular employees and a maximum of \$550.00 per month towards dependent coverage. Part-time employees shall also receive a portion of short-term disability insurance dependent upon hours worked. Such contributions shall be for coverage effective January 1, 2015.

BE IT FURTHER RESOLVED that the City shall contribute the full cost of long-term disability insurance for full-time Management and General Services employees.

BE IT FURTHER RESOLVED that the City Council shall determine the City's contribution toward insurance premiums for all organized employee groups by the adoption of the appropriate resolutions concerning labor contracts with the respective organized employee groups.

Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of September 2014.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk

The City's Contribution Toward Dependent Health Insurance as a Percent of Total Premium Cost

<u>YEAR</u>	<u>HEALTH PLAN</u>	<u>DEPENDENT PREMIUM COST</u>	<u>CITY CONTRIBUTION MGMT./GEN. SVCS</u>	<u>CITY CONTRIBUTION AVERAGE % OF PREMIUM</u>
2008	HealthPartners			
	Open Access Choice			
	* Employee +			
	Spouse	\$1057.86	\$730	69%
	* Employee +			
	Children	\$1002.29	\$730	73%
	* Family	\$1308.91	\$780	60%
	Distinctions			
	* Employee +			
	Spouse	\$ 988.09	\$730	74%
	* Employee +			
	Children	\$ 933.50	\$730	78%
	* Family	\$1219.10	\$780	64%
	High Deductible HSA			
	* Employee +			
	Spouse	\$ 757.10	\$730	96%
	* Employee +			
	Children	\$ 715.27	\$730	102%
	* Family	\$ 934.04	\$780	84%
2009	HealthPartners			
	Open Access Choice			
	* Employee +			
	Spouse	\$1226.94	\$780	64%
	* Employee +			
	Children	\$1162.48	\$780	67%
	* Family	\$1518.16	\$830	55%
	Distinctions			
	* Employee +			
	Spouse	\$1146.01	\$780	68%
	* Employee +			
	Children	\$1082.68	\$780	72%
	* Family	\$1414.98	\$830	59%
	High Deductible HSA \$1150			
	* Employee +			
	Spouse	\$ 868.94	\$780	90%
	* Employee +			
	Children	\$ 820.92	\$780	95%
	* Family	\$1072.05	\$830	77%
	High Deductible HSA \$2500			
	* Employee +			
	Spouse	\$ 807.87	\$780	97%
	* Employee +			
	Children	\$ 763.24	\$780	102%
	* Family	\$ 996.69	\$830	83%
2010	HealthPartners			

Open Access Choice			
* Employee +			
Spouse	\$1418.74	\$855	60%
* Employee +			
Children	\$1344.21	\$855	64%
* Family	\$1755.49	\$905	52%
Distinctions			
* Employee +			
Spouse	\$1325.16	\$855	65%
* Employee +			
Children	\$1251.93	\$855	68%
* Family	\$1635.02	\$905	55%
High Deductible HSA \$2500			
* Employee +			
Spouse	\$ 934.16	\$855	92%
* Employee +			
Children	\$ 882.55	\$855	97%
* Family	\$1152.50	\$905	78%

2011

HealthPartners

Open Access Choice			
* Employee +			
Spouse	\$1562.16	\$915	59%
* Employee +			
Children	\$1480.10	\$915	62%
* Family	\$1932.99	\$965	50%
Distinctions			
* Employee +			
Spouse	\$1459.12	\$915	63%
* Employee +			
Children	\$1378.49	\$915	66%
* Family	\$1800.32	\$965	54%
High Deductible HSA \$2500			
* Employee +			
Spouse	\$1032.52	\$915	89%
* Employee +			
Children	\$ 975.48	\$915	94%
* Family	\$1274.10	\$965	76%

2012

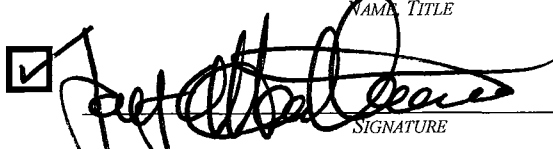
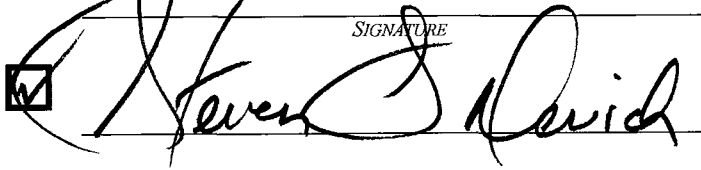
Blue Cross Blue Shield

Open Access Choice			
* Employee +			
Spouse	\$1295.00	\$915	71%
* Employee +			
Children	\$1233.00	\$915	74%
* Family	\$1603.00	\$965	60%
Distinctions			
* Employee +			
Spouse	\$1144.50	\$915	80%
* Employee +			
Children	\$1089.50	\$915	84%
* Family	\$1416.50	\$965	68%
High Deductible HSA \$2500			
* Employee +			
Spouse	\$854.50	\$915	107%
* Employee +			
Children	\$814.00	\$915	112%

	* Family	\$1058.00	\$965	91%
2013	Blue Cross Blue Shield			
	Distinctions			
	* Employee +			
	Spouse	\$1242.00	\$950	76%
	* Employee +			
	Children	\$1182.00	\$950	80%
	* Family	\$1537.00	\$1000	65%
	High Deductible HSA \$2500			
	* Employee +			
	Spouse	\$927.00	\$950	102%
	* Employee +			
	Children	\$883.00	\$950	108%
	* Family	\$1148.00	\$1000	87%
2014	Blue Cross Blue Shield			
	Distinctions			
	* Employee +			
	Spouse	\$1407.00	\$990	70%
	* Employee +			
	Children	\$1339.00	\$990	74%
	* Family	\$1741.50	\$1040	60%
	High Deductible HSA \$2500			
	* Employee +			
	Spouse	\$1050.50	\$990	94%
	* Employee +			
	Children	\$1000.50	\$990	99%
	* Family	\$1300.50	\$1040	80%
2015	Blue Cross Blue Shield			
	Distinctions			
	* Employee +			
	Spouse	\$1555.74	\$1045	67%
	* Employee +			
	Children	\$1480.74	\$1045	71%
	* Family	\$1925.74	\$1100	57%
	High Deductible HSA \$2600			
	* Employee +			
	Spouse	\$1160.74	\$1045	90%
	* Employee +			
	Children	\$1105.74	\$1045	95%
	* Family	\$1436.74	\$1100	77%



STAFF REPORT
CITY COUNCIL MEETING
SEPTEMBER 23, 2014

REPORT PREPARED BY:	BETSY OSBORN, SUPPORT SERVICES MANAGER
DEPARTMENT DIRECTOR REVIEW:	<input checked="" type="checkbox"/>  NAME: TITLE SIGNATURE
OTHER DEPARTMENT REVIEW:	<input type="checkbox"/> N/A SIGNATURE
REVIEWED BY CITY MANAGER:	<input checked="" type="checkbox"/>  SIGNATURE

ITEM FOR COUNCIL CONSIDERATION:

Approval of the continuation of the agreement with the City of Bloomington for the provision of food inspection services for Richfield for the year 2015.

I. RECOMMENDED ACTION:

By Motion: Approval of the continuation of the agreement with the City of Bloomington for the provision of food inspection services for Richfield for the year 2015.

II. EXECUTIVE SUMMARY

The City of Bloomington and the City of Richfield have had a contract for over 30 years for Bloomington to provide inspection and enforcement services in the areas of food, beverage, lodging and public swimming pools along with plan check work for food services to Richfield.

The last audit conducted by the Minnesota Department of Health on Bloomington and Richfield's food, beverage and lodging program, which was conducted in 2010, resulted in both of them being in the top 7 of all 32 licensed jurisdictions in the State of Minnesota and receiving their highest score given.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

- The City of Bloomington has provided inspection and enforcement services in the areas of food, beverage, lodging and public swimming pools and plan check for food services for over 30 years to the City of Richfield.
- The last audit conducted by the Minnesota Department of Health on Bloomington's and Richfield's food, beverage and lodging program, which was conducted in 2010, resulted in both of them being in the top 7 of all 32 licensed jurisdictions in the State of Minnesota and receiving their highest score given.
- The proposed contract for 2015 for these services will be \$122,800 compared to the 2014 contract amount of \$118,600. This is a 3.5% increase over the dollar amount paid to Bloomington in 2014.
- The terms of the contract still provide for the contract to be terminated upon the expiration of 30 days after service of written notice upon the other party, if there should be a need to terminate it before it expires December 31, 2015.
-

B. POLICY

- The City of Bloomington has sufficient resources to provide a professional level of inspection services to Richfield residents. Annual evaluations of their services have shown that they are providing efficient services in a cost-effective manner.

C. CRITICAL TIMING ISSUES

- N/A

D. FINANCIAL

- A 3.5% budget increase had been communicated to Richfield earlier by Bloomington so the amount of \$122,800 has been captured in Richfield's 2015 budget.

E. LEGAL

- The City Attorney has reviewed the contract and has approved of it and its contents.

F. ENVIRONMENTAL CONSIDERATIONS

- N/A

IV. ALTERNATIVE RECOMMENDATION(S)

- The Council could decide to have Richfield provide its own food services inspections, beverage and lodging and the public swimming pool inspections and plan check food services; however, the State would have to approve this change and would likely be concerned about staffing, response and capacity issues. The cost of hiring the staff necessary to provide the same level of services and administrative support would be more than the current expenditures and would require a significant budget increase.

V. ATTACHMENTS

- 2015 City of Bloomington Food, Beverage, Lodging and Public Swimming Pool Inspection Contract.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- None

A G R E E M E N T

This Agreement is made this ____ day of _____, 2014, by and between the City of Richfield (hereinafter referred to as "Richfield") and the City of Bloomington (hereinafter referred to as "Bloomington").

WHEREAS, Richfield is authorized and empowered to provide for various types of environmental health inspections and code enforcement to ensure the public health, welfare and safety; and

WHEREAS, it is the desire of the parties and the purpose of this agreement that certain of such services be performed by Bloomington on behalf of Richfield;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth below, the above parties hereto agree as follows:

1. The term of this agreement shall be from January 1, 2015 through December 31, 2015, subject to termination as provided in paragraph 6.
2. For the term of this Agreement, Bloomington shall provide the following services:
 - a. Food establishment inspections and code enforcement as necessary. A minimum of two (2) inspections will be done of all "high risk" food service establishments (license types I and II) and schools per year. "Medium risk" food establishments required to have a certified food manager (license type III) will be inspected twice (2) per year. "Medium risk" food establishments not required to have a certified food manager (license type IV) and "Low risk" (license type V) food establishments will be inspected once (1) per year.
 - b. Plan check and preopening construction inspections for new and remodeled food, lodging, therapeutic massage and body art establishments.
 - c. Public swimming pools inspected at least once (1) per year with a goal of two (2) inspections per year. This is in addition to an opening inspection of all outdoor public pools at the beginning of the summer swimming season.
 - d. Lodging establishments inspections at least once (1) per year.
 - e. Therapeutic massage and body art establishments inspections at least once (1) per year.

f. Investigation and resolution of complaints associated with food, lodging, therapeutic massage and body art establishments and public swimming pools.

3. Bloomington shall have control over the manner in which the inspections, plan review and code enforcement activities are conducted and over the determination of what enforcement action is appropriate and consistent with Richfield City Code Sections 617, 618, 619, 630 and 1188, and other policies as established by the City of Richfield.

4. Bloomington shall assume the expense of performing the inspections and code enforcement.

5. In 2015, Richfield shall pay Bloomington the sum of ONE HUNDRED TWENTY-TWO THOUSAND, EIGHT HUNDRED AND NO/100 DOLLARS (\$122,800.00) for services provided pursuant to this Agreement. One-half of this amount shall be due on June 30, 2015, and the remainder shall be due on November 30, 2015.

6. Either party may terminate this Agreement as follows:

- a. Upon the expiration of 30 days after service of written notice upon the other party; or
- b. At any time, upon agreement of the parties; or
- c. In any event on December 31, 2015.

7. In the event of a termination prior to December 31, 2015, a prorata reduction of the compensation owed by Richfield to Bloomington shall occur which reflects the period remaining on the Agreement at the time of termination.

8. Bloomington agrees to defend, indemnify and hold harmless Richfield, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses arising out of or resulting from Bloomington's performance of the duties required under this Agreement, provided that any such claim, action, damage, loss or expense is attributable to bodily injury, sickness, disease, or death or to the injury to or destruction of property including the loss of use resulting therefrom and is caused in whole or in part by any negligent act or omission or willful misconduct of Bloomington. This provision shall not be construed as a waiver by either party of any defenses, immunities or limitators on liability with respect to claims made by third parties.

9. Richfield agrees to defend, indemnify and hold harmless Bloomington, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses arising out

of or resulting from Richfield's performance of the duties required under this Agreement, provided that any such claim, action, damage, loss or expense is attributable to bodily injury, sickness, disease, or death or to the injury to or destruction of property including the loss of use resulting therefrom and is caused in whole or in part by any negligent act or omission or willful misconduct of Richfield. This provision shall not be construed as a waiver by either party of any defenses, immunities or limitators on liability with respect to claims made by third parties.

10. Bloomington shall carry municipal liability insurance in the amount of at least \$500,000 per individual and \$1,500,000 per occurrence. Bloomington shall carry property damage liability insurance in the amount of \$100,000. Richfield shall be named as an additional insured on Bloomington's municipal liability policy and a certificate of said insurance shall be provided to Richfield. Bloomington shall carry Worker's Compensation Insurance as required by Minnesota Statutes, Section 176.181, Subd. 2 and further agrees to provide a certificate of said insurance to Richfield.

11. Any employee assigned by Bloomington to perform its obligations hereunder shall remain the exclusive employee of Bloomington for all purposes including, but not limited to, wages, salary and employee benefits.

12. In addition to the services listed in Paragraph 2 above, Bloomington shall, upon request, also provide for and on behalf of Richfield elevated blood lead case environmental assessment and sample laboratory analysis services.

Such services shall be paid for by Richfield at the hourly rate of \$62.00 per hour plus the direct cost of all laboratory sample analysis, and said hourly rate shall be separate from, and in addition to, the payment provided for by Paragraph 5 of this Agreement. All other provisions of this Agreement shall remain applicable with respect to the lead assessment services being provided.

13. It is agreed that nothing herein contained is intended or should be construed in any manner as creating or establishing the relationship of co-partners between the parties hereto or as constituting the persons employed by Bloomington as the agent, representative or employee of Richfield for any purpose or in any manner whatsoever. Bloomington is to be and shall remain an independent contractor with respect to all services performed under this contract. Bloomington represents that it has, or will secure at its own expense, all personnel required in performing services under this contract. Any and all personnel of Bloomington or other persons, while engaged in the performance of any work or services required by Bloomington under this contract, and shall

not be considered employees of Richfield, and any and all claims that may or might arise under the Workers' Compensation Act of the State of Minnesota on behalf of said personnel or other persons while so engaged, and any and all claims whatsoever on behalf of any such person or personnel arising out of employment or alleged employment including, without limitation, claims of discrimination against Bloomington, its officers, agents contracts or employees shall in no way be the responsibility of Richfield; and Bloomington shall defend, indemnify and hold Richfield, its officers, agents and employees harmless from any and all such claims regardless of any determination of any pertinent tribunal, agency, board, commission or court. Such personnel or other persons shall not require nor be entitled to any compensation, rights or benefits of any kind whatsoever from Richfield, including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, Workers' Compensations, Unemployment Compensation, disability, severance pay and PERA.

14. The books, records, documents, and accounting procedures of Bloomington relevant to this Agreement, are subject to examination by Richfield and either the legislative or state auditor as appropriate, pursuant to Minnesota Statutes, Section 16C.05, Subd. 5.

15. This Agreement represents the entire Agreement between Bloomington and Richfield and supersedes and cancels any and all prior agreements or proposals, written or oral, between the parties relating to the subject matter hereof, any amendments, addenda, alterations, or modifications to the terms and conditions of this Agreement shall be in writing and signed by both parties.

16. The City of Bloomington and the City of Richfield agree to comply with the Americans with Disabilities Act (ADA) including all applicable provisions of Title II – Public Services and in accordance with 28 C.F.R. Part 35 Subpart B – Section 35.130 of the US Department of Justice Regulations, Section 504 of the Rehabilitation Act of 1973, and not discriminate on the basis of disability in the admission or access to, or treatment of employment in its services, programs, or activities. The City of Bloomington agrees to hold harmless and indemnify the City of Richfield from costs, including but not limited to damages, attorney's fees and staff time, in any action or proceeding brought alleging a violation of ADA and/or Section 504 caused by Bloomington. Upon request accommodation will be provided to allow individuals with disabilities to participate in all services, programs and activities. The City of Bloomington agrees to utilize its own text telephone or the Minnesota TTY Relay Service in order to comply with accessibility requirements. The City of Richfield has designated coordinators to facilitate compliance with the Americans with

Disabilities Act of 1990, as required by 28 C.F.R. Part 35 Subpart B - Section 35.107 of the U.S. Department of Justice regulations, and to coordinate compliance with Section 504 of the Rehabilitation Act of 1973, as mandated by Section 8.53 of the U.S. Department of Housing and Urban Development regulations.

17. The City of Bloomington and the City of Richfield agree to submit all claims, disputes and other matters in question between the parties arising out of or relating to this Agreement to mediation. The mediation shall be conducted through the Conflict Resolution Center, 2101 Hennepin Avenue South; Suite 100, Minneapolis, Minnesota, 55405. The parties hereto shall decide whether mediation shall be binding or non-binding. If the parties cannot reach agreement, mediation shall be non-binding. In the event mediation is unsuccessful, either party may exercise its legal or equitable remedies and may commence such action prior to the expiration of the applicable statute of limitations.

18. Both parties agree to comply with all applicable state, federal and local laws, rules and regulations.

IN WITNESS WHEREOF, the parties have set forth their hands on the day and year first written above.

DATED: 7/7/14

CITY OF BLOOMINGTON

BY: 

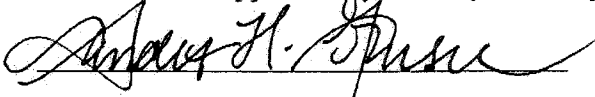
Its Mayor

DATED: 7/7/14

BY: 

Its City Manager

Reviewed and approved by the City Attorney.



City Attorney

CITY OF RICHFIELD

DATED: _____

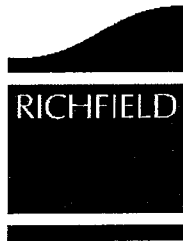
BY: _____

Its Mayor

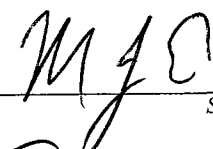
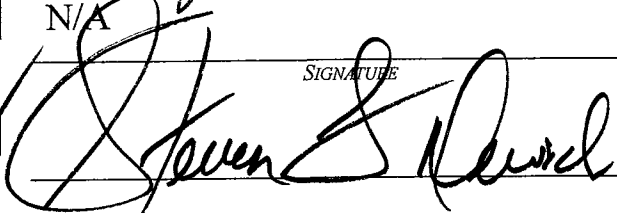
DATED: _____

BY: _____

Its City Manager



STAFF REPORT
CITY COUNCIL MEETING
SEPTEMBER 23, 2014

REPORT PREPARED BY:	ROBERT HINTGEN, UTILITY SUPERINTENDENT
	<small>NAME, TITLE</small>
DEPARTMENT DIRECTOR REVIEW:	<input checked="" type="checkbox"/> 
	<small>SIGNATURE</small>
OTHER DEPARTMENT REVIEW:	<input type="checkbox"/> N/A
	<small>SIGNATURE</small>
REVIEWED BY CITY MANAGER:	<input checked="" type="checkbox"/> 
	<small>SIGNATURE</small>

ITEM FOR COUNCIL CONSIDERATION:
Consideration of a resolution certifying delinquent water, sanitary sewer and storm water charges to the county auditor.

I. RECOMMENDED ACTION:
By Motion: Adopt the resolution certifying unpaid water, sanitary sewer and storm water charges to the County Auditor to be collected with the other taxes on said properties.

II. EXECUTIVE SUMMARY

Chapter VII of the Richfield Code of Ordinances provides that delinquent water, sanitary sewer, and storm water charges may be certified to the County Auditor to be included in a property owner's annual property tax bill. The code also authorizes a certification fee to be charged against each delinquent account. By certifying the delinquent charges to the property taxes for the delinquent properties, the City is assured of ultimately collecting the delinquent charges.

The pending delinquent 2014 utility charges are \$434,854.49, compared to \$412,735.94 at the same time last year. Last year the City ended up certifying only

\$295,213.77 because property owners paid their delinquent bills prior to the October 31 deadline.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

History of Increased Certification

- Below is a history of certified amounts since 2010.
 - 2010 - Certification totaled \$278,086.88 for 582 properties.
 - 2011 - Certification totaled \$298,977.55 for 591 properties.
 - 2012 - Certification totaled \$312,060.07 for 572 properties
 - 2013 - Certification totaled \$295,213.77 for 561 properties
 - 2014 - Certification currently totals \$434,854.49 for 948 properties, an average of \$458.71 per account. Staff expects that, as in years past, many of the now delinquent accounts will be paid before certification.

B. POLICY

- State Statute and Chapter VII of the Richfield Code of Ordinances provide that unpaid water, sanitary sewer, and storm water charges may be certified to the County Auditor to be included in a property owner's annual property tax bill.
- A Notice of Certification to Property Taxes (see attached) was mailed on August 1, 2014 and a second notice will be mailed on September 24, 2014 to Richfield property owners with delinquent accounts.

C. CRITICAL TIMING ISSUES

- To prepay the delinquent amount and avoid certification, the entire past due amount must be paid by October 31, 2014 as stated in the attached Notice of Certification to Property Taxes.

D. FINANCIAL

- Throughout the year, the Division bills and collects charges for water, sanitary sewer and storm water from accounts within the City.
- The charges include a 6.5% penalty on unpaid balances. This penalty is paid quarterly against the accrued unpaid balance.
- The delinquent accounts must be certified to the County Auditor in order for the City to collect the charges through the property tax process. A \$50 certification fee is charged to each certified account.
- The certified amount is spread over a period of one year at the rate of 8% per annum.

E. LEGAL

- No legal issues are apparent at this time. The City Attorney will be in attendance at the Council meeting should a legal question arise.

F. ENVIRONMENTAL CONSIDERATIONS

- None

IV. ALTERNATIVE RECOMMENDATION(S)

- The Council could choose to not approve the resolution. However, the certification process is the only process the City has to collect these delinquent accounts.

V. ATTACHMENTS

- Resolution authorizing certification of unpaid water, sanitary sewer and storm water charges to the County Auditor to be collected with other taxes on said properties.
- Notice of Certification to Property Taxes.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- None
-

RESOLUTION NO.

**RESOLUTION AUTHORIZING CERTIFICATION OF UNPAID WATER, SANITARY
SEWER AND STORM WATER CHARGES TO THE COUNTY AUDITOR TO BE
COLLECTED WITH OTHER TAXES ON SAID PROPERTIES**

WHEREAS, Ordinance Code 715 establishes rules, rates and charges for water service in the City of Richfield; and

WHEREAS, Minnesota Statutes 444.075 provides that all delinquent water service charges not paid may be certified to the County Auditor and shall be collected with other taxes on such property; and

WHEREAS, Ordinance Code 705 established rules, rates and charges for sanitary sewer service in the City of Richfield; and

WHEREAS, Ordinance Code 705.19 thereof provides that all sanitary sewer services charges not paid within 15 days after the quarterly due date may be certified to the County Auditor with taxes against such property, and shall be collected with other taxes on such property; and

WHEREAS, Ordinance Code 720 established rules, rates and charges for storm water service in the City of Richfield; and

WHEREAS, Ordinance Code 705.19 thereof provides that all storm water service charges not paid may be certified to the County Auditor with taxes against such properties, and shall be collected with other taxes on such property; and

WHEREAS, an assessment roll has been prepared specifying the amount, which shall be certified against each particular property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota:

1. There is hereby determined to be a total uncollected amount for water, sanitary sewer and storm water service of \$434,854.49.
2. That a \$50 certification charge shall be levied against each delinquent account, such charges totaling \$47,400.00.
3. That the above-described assessment be spread over a period of one year at the rate of 8% per annum.
4. That such amount be hereby certified to the County Auditor for collection with other taxes on said properties.
5. That a copy of the resolution shall be sent to the Hennepin County Auditor.

Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of September 2014.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk



City of Richfield
Public Works Department
Utilities Division

September 24, 2014

Mailing Address Line 1
Mailing Address Line 2
Mailing Address Line 3
Mailing Address Line 4
Mailing Address Line 5
Mailing Address Line 6

Property ID: Tax Roll Numeric
Account #: Account Number
Customer #: Customer Number
Tenant/Owner: Customer Name
Service Addr: Service Address
Past Due Amt: Current WO Balance

Subject: ****FINAL NOTICE OF CERTIFICATION TO 2015 PROPERTY TAXES****

Dear Richfield Utility Customer:

Pursuant to Minnesota State Statutes, the City of Richfield certifies all delinquent (water, wastewater, storm water) charges to the Hennepin County annual property tax assessment roll.

Your unpaid water utility balance is scheduled to be certified to your 2015 Hennepin County property taxes. To prepay this special assessment and to avoid certification, please pay the entire past due amount by **October 31, 2014**. Failure to pay the entire past due amount will result in an additional 8% interest charge and a \$50.00 service fee when assessed to your 2015 property taxes.

If you have recently paid your past due bill, thank you and please disregard this notice.

Contact the Utility Billing Division at 612-861-9164 or 612-861-9165 if you have any questions regarding your past-due amount or assessment procedures.

Información Importante: Si usted no entiende el contenido de esta carta, alguien tendrá que traducirla para usted. ¡Gracias!

✂ Please return this portion with your payment.

Payment must be received by October 31, 2014 to avoid certification to your 2015 property taxes.
Mail payment to: **City of Richfield, Utility Payments, 6700 Portland Ave S, Richfield, MN 55423**

Account Number:	Account Number	Past Due Amount:	Current WO Balance
Customer Number:	Customer Number	Tenant/Owner:	Customer Name
Property ID:	Tax Roll Numeric	Service Address:	Service Address

Property Owner: Property Owner Address Line 1
(if different from above) Property Owner Address Line 2
Property Owner Address Line 3
Property Owner Address Line 4

Date: _____

Amount Paid: _____



STAFF REPORT

CITY COUNCIL MEETING

SEPTEMBER 23, 2014

REPORT PREPARED BY:

CHRIS LINK, OPERATIONS
SUPERINTENDENT

NAME, TITLE

DEPARTMENT DIRECTOR REVIEW:



MJE

SIGNATURE

OTHER DEPARTMENT REVIEW:



For Jim Topitzhofer

SIGNATURE

REVIEWED BY CITY MANAGER:



Steven J. Lawel

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the purchase of an Ice Resurfacer for the Richfield Ice Arena

I. RECOMMENDED ACTION:

By Motion: Approve the purchase of an Ice Resurfacer in 2015 for \$93, 089.88 from Frank J. Zamboni & Co. for use at the Richfield Ice Arena

II. EXECUTIVE SUMMARY

The Ice Resurfacer is used many times a day to recondition the ice surfaces at the Richfield Ice Arena. It is used to cut, clean, and flood each rink. The current Ice Resurfacer is in need of major repairs and is due for replacement. The major repairs needed are:

- Battery replacement
- Auger replacement
- Hydraulic motor and pump replacement
- Conditioner replacement

These repairs are estimated at \$30,000. Approval at this time is being requested to ensure a 2015 delivery and payment date. The purchase price for the Ice Resurfacer of \$93,089.88 includes \$37,000 for trade in.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

- The ice resurfacer that is to be replaced was purchased in 2005
- A replacement schedule has been established for ice resurfacers

B. POLICY

- The City of Richfield currently purchases vehicles using cooperative sources. The National Joint Powers Association (NJPA) Purchasing Program is one of these sources. The Ice Resurfacer will be purchased through the NJPA.

C. CRITICAL TIMING ISSUES

- Approval at this meeting will allow sufficient time for delivery of the Ice Resurfacer be complete by the end of the year 2015.
- It also assures the purchase occurs in the year the equipment was budgeted

D. FINANCIAL

- Purchase of the Ice Resurfacer is identified in the 2014R-2015P Central Garage Budget (61000-7500) for \$140,000 in 2015.
- The purchase price includes a \$37,000 trade in for the current Ice Resurfacer

E. LEGAL

- When the purchase of materials, merchandise, equipment, or construction exceeds \$50,000, authority to purchase shall be submitted to the City Council for consideration.

F. ENVIRONMENTAL CONSIDERATIONS

- The Ice Resurfacer is battery driven reducing emission considerations.

IV. ALTERNATIVE RECOMMENDATION(S)

- Council may delay approval to a later meeting. Delayed approval, however, will result in delayed delivery.

V. ATTACHMENTS

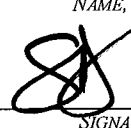
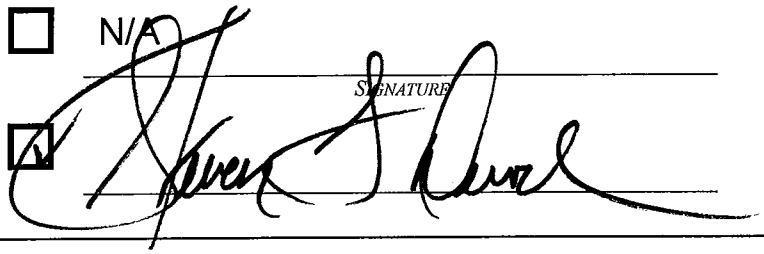
- None

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- The Ice Arena Manager will be available for any questions regarding this piece of equipment.



STAFF REPORT
CITY COUNCIL MEETING
SEPTEMBER 23, 2014

REPORT PREPARED BY:	THERESA SCHYMA, DEPUTY CITY CLERK	
		<small>NAME, TITLE</small>
DEPARTMENT DIRECTOR REVIEW:	<input checked="" type="checkbox"/>	 <small>SIGNATURE</small>
OTHER DEPARTMENT REVIEW:	<input type="checkbox"/>	N/A <small>SIGNATURE</small>
REVIEWED BY CITY MANAGER:	<input checked="" type="checkbox"/>	 <small>SIGNATURE</small>

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the attached resolutions appointing election judges and high school student trainee election judges for the November 4, 2014 General Election.

I. RECOMMENDED ACTION:

By Motion: Adopt the attached resolutions appointing election judges and high school student trainee election judges for the November 4, 2014 General Election.

II. EXECUTIVE SUMMARY

The State General Election is on Tuesday, November 4, 2014.

Since the June 10 and July 8 City Council appointment of election judges, the City Clerk's office has received several additional names of individuals who are eligible and able to serve as election judges for the Tuesday, November 4, 2014 General Election. Election judges are assigned to the precincts based on availability, party balance and the number required for each election.

Also, the City Clerk's office has again partnered with Richfield High School to facilitate student participation in the High School Student Trainee Election Judge Program for the November 4, 2014 General Election.

The City Clerk's office has received a list of students who are eligible and able to serve as student trainee election judges. A student appointed as a trainee election

judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the principal of the school approves a signed request by the student's parent or guardian to be absent from school and if the student's current academic performance is satisfactory.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

- On June 10 and July 8, 2014, the City Council passed Resolution Nos. 10943 and 10948, which appointed individuals to serve as election judges at the Primary Election, the General Election or both elections.
- The City has utilized high school student trainee election judges in every General Election since 1994.

B. POLICY

- The City Council is required by State Statute to make election judge appointments at least 25 days prior to the election. The proposed resolution contains names of those qualified individuals who have indicated a willingness and ability to serve as an election judge for the November 4, 2014 General Election.
- Compliance with Minnesota Statute 204B.21, Subd. 2 regarding election judges.
- Compliance with Minnesota Statute 204B.19, Subd. 6 regarding high school student trainee election judges.

C. CRITICAL TIMING ISSUES

- If the City Council does not appoint additional election judges or high school student trainee election judges, the conduct of the election would be hindered.

D. FINANCIAL

- N/A

E. LEGAL

- See Policy section above.

F. ENVIRONMENTAL CONSIDERATIONS

- None

IV. ALTERNATIVE RECOMMENDATION(S)

- The City Council could choose to appoint other individuals as election judges who are not named in the resolution.

V. ATTACHMENTS

- Resolution appointing additional election judges
- Resolution appointing high school student trainee election judges

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- None

RESOLUTION NO.

**RESOLUTION APPOINTING ELECTION JUDGES FOR THE GENERAL ELECTION OF
NOVEMBER 4, 2014**

WHEREAS, a State General Election will be held on Tuesday, November 4, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, that the following are hereby appointed as judges for said elections:

Names will be provided at the September 23 City Council Meeting

And, that these names be added to the list of those appointed as election judges in Resolution Nos. 10943 and 10948.

PASSED by the City Council of the City of Richfield, Minnesota this 23rd day of September, 2014.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk

RESOLUTION NO.

**RESOLUTION APPOINTING HIGH SCHOOL STUDENT TRAINEE
ELECTION JUDGES FOR THE
GENERAL ELECTION OF NOVEMBER 4, 2014**

WHEREAS, a General Election will be held on Tuesday, November 4, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, that the following are hereby appointed as high school student trainee election judges for said election:

Names will be provided at the September 23 City Council Meeting

PASSED by the City Council of the City of Richfield, Minnesota this 23rd day of September, 2014.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk



STAFF REPORT
CITY COUNCIL MEETING
SEPTEMBER 23, 2014

REPORT PREPARED BY:

BETSY OSBORN, SUPPORT
SERVICES MANAGER

DEPARTMENT DIRECTOR REVIEW:



NAME, TITLE
[Signature]
SIGNATURE

OTHER DEPARTMENT REVIEW:



N/A
SIGNATURE

REVIEWED BY CITY MANAGER:



[Signature]

ITEM FOR COUNCIL CONSIDERATION:

Consideration of a disciplinary hearing and resolution regarding civil enforcement for an establishment in Richfield that recently underwent alcohol compliance checks conducted by Richfield Public Safety staff, and failed by selling alcohol to underage youth.

I. RECOMMENDED ACTION:

By Motion: Conduct a disciplinary hearing for the licensed establishment who failed an alcohol compliance check and approve the attached resolution for first time violating establishments:

- Suspending the license to sell alcohol for five (5) consecutive days, and;
- Levying a fine against the establishment in the amount of \$1000 and;
- Requiring a meeting with the Acting Public Safety Director to present an individual establishment plan to ensure eliminating any future actions of this kind, and;
- Requiring a manager to attend an alcohol compliance and sales awareness presentation conducted by a private firm, approved by Public Safety with all costs to be paid by the establishment.

II. EXECUTIVE SUMMARY

On July 16, 2014, the Richfield Police Department conducted alcohol compliance checks at the 34 businesses that hold licenses to sell in the City of Richfield. One of the 34 businesses that were checked sold alcohol to an underage person. The business that sold alcohol to an underage person is:

- Richfield US – 6744 Penn Avenue South

This is the first offense for Richfield US. Their license will not be suspended; however, they are required to appear before the City Council.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

- On July 16, 2014, Richfield Public Safety staff conducted alcohol compliance checks at all the establishments in Richfield that sell alcohol. They were assisted by two underage youth that were 18 and 19 years of age. These compliance checks were the first compliance checks conducted in 2014.

B. POLICY

- It is a violation of Minnesota State Statute and City ordinance to sell alcohol to an individual under the age of 21..
- Resolution 9511 specifies certain improper conduct of alcohol license holders and delineates the progressive discipline that can be expected when violations occur, such as the sale of alcohol to minors.

C. CRITICAL TIMING ISSUES

- Staff recommends that the City Council suspend the license to sell alcohol for five (5) consecutive days and levy a fine against the establishment in the amount of \$1,000 for the first violation. Staff is also proposing that the first time violating establishment attend a meeting with the Acting Public Safety Director to present their individual establishment's plan to ensure eliminating any future actions of this kind. In addition, the manager or a staff member must attend an alcohol compliance and sales awareness presentation conducted by a private firm, approved by Public Safety, with all costs to be paid by the establishment. These requirements must be met by October 23, 2014.

D. FINANCIAL

- The fine being recommended at this time is intended to recover 100% of the costs for conducting the compliance checks and to penalize the businesses punitively. Compliance checks will continue to occur in the future.

E. LEGAL

- There are no legal considerations.

F. ENVIRONMENTAL CONSIDERATIONS

- There are no environmental considerations.

IV. ALTERNATIVE RECOMMENDATION(S)

- The Council may consider taking more or less severe action against the establishment that sold alcohol to underage youth; however, that would deviate from the guidelines set for progressive discipline in Resolution No. 9511.

V. ATTACHMENTS

- Resolution for Richfield US.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- A representative from the establishment is expected to be in attendance at the City Council meeting and has been notified in writing regarding the meeting date.

RESOLUTION NO.

RESOLUTION SUSPENDING THE OFF-SALE 3.2 MALT LIQUOR LICENSE FOR RICHFIELD US, 6744 PENN AVENUE SOUTH, AND IMPOSING A CIVIL PENALTY FOR FIRST TIME ALCOHOL COMPLIANCE FAILURE

WHEREAS, Richfield US ("Licensee") holds an Off-Sale 3.2 Malt Liquor License from the City of Richfield; and

WHEREAS, on July 16, 2014, the City of Richfield Public Safety Department conducted a compliance check of the Licensee's establishment; and, during the compliance check, an employee of the Licensee sold alcohol to a minor and;

WHEREAS, this is their first alcohol compliance check failure and;

WHEREAS, the Licensee appeared before the Richfield City Council on September 23, 2014 and admitted the violation and stipulated to the penalty imposed by this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield as follows:

1. The Licensee's Off-Sale 3.2 Malt Liquor License is hereby suspended for a period of five (5) consecutive days, commencing on a date to be determined by the Acting Public Safety Director, but to take place within 30 days after their Council appearance.
2. A civil penalty of \$1,000 is hereby imposed. On or before October 23, 2014, the Licensee shall deliver a check or money order payable to the City of Richfield in the amount of \$1,000.
3. Meet with the Acting Public Safety Director by October 23, 2014, to present a written action plan to ensure future compliance.
4. One staff member, preferably the manager, must attend an alcohol compliance and sales awareness presentation conducted by a private firm, approved by Public Safety, with all costs to be paid by the establishment.

Passed by the City Council of the City of Richfield this 23th day of September 2014.

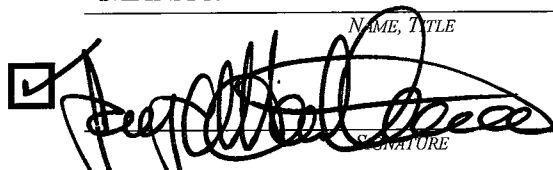
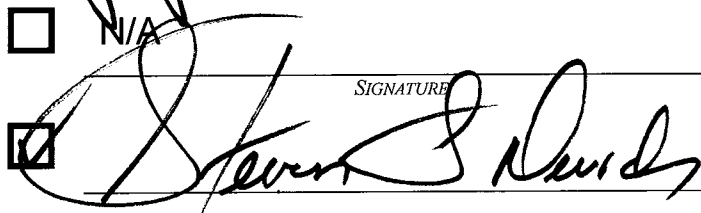
Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk



STAFF REPORT
CITY COUNCIL MEETING
SEPTEMBER 23, 2014

REPORT PREPARED BY:	BETSY OSBORN, SUPPORT SERVICES MANAGER
DEPARTMENT DIRECTOR REVIEW:	<input checked="" type="checkbox"/>  <small>NAME, TITLE</small> <small>SIGNATURE</small>
OTHER DEPARTMENT REVIEW:	<input type="checkbox"/> N/A
REVIEWED BY CITY MANAGER:	<input checked="" type="checkbox"/>  <small>SIGNATURE</small>

ITEM FOR COUNCIL CONSIDERATION:

Public hearing for the consideration of the issuance of a new on-sale wine license, with a pro-rated fee, for Last Call Operating Co II., Inc. d/b/a Champps Americana, located at the Richfield Ice Arena 636 East 66th Street.

I. RECOMMENDED ACTION:

By Motion: Approve issuance of a new on-sale wine license, with a pro-rated fee, for Last Call Operating Co II., Inc. d/b/a Champps Americana, located at the Richfield Ice Arena 636 East 66th Street.

II. EXECUTIVE SUMMARY

On August 8, 2014, the City received the application materials for a new on-sale wine license for Last Call Operating Co II., Inc. d/b/a Champps Americana. This is for a second location at the Richfield Ice Arena and is in conjunction with the Minnesota Magicians Junior Hockey Team season.

On July 22, 2014, Champps Americana changed ownership from Champps Operating Corporation to Last Call Operating Co II., Inc. A Public Safety background investigation was completed at that time and found no basis for denial.

Since a background investigation was done on Last Call Operating Co II. in July 2014, the Acting Public Safety Director reviewed that background investigation

report and determined an additional Public Safety background is not needed for this application of an on-sale wine license.

The previous year Champps had only a 3.2 malt liquor license for the ice arena because state legislation would not allow the serving of wine and strong beer. In an effort to address that concern, Richfield sought special legislation during the 2014 session through our state legislative representatives. Special legislation in the form of Chapter 240, Section 22 of the laws of 2014 provided Richfield with the authority to provide for the sale of the desired alcoholic beverages during Junior Hockey League games. It was approved by the Richfield City Council on July 08, 2014.

Champps is now requesting an on-sale wine license in conjunction with a 3.2 malt liquor license to enable them to serve strong beer. They currently hold a 3.2 malt liquor license valid until the end of the year so an on-sale wine license is the only license requiring an approval.

All required information and documents have been received. A pro-rated fee for the duration of four months has been received. All parties have been notified that the acceptance of the pro-rated fee is based on Council approval and they are prepared to submit the remainder of the fee, should Council deny the pro-rated fee.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

Application materials for a new on-sale wine license for Last Call Operating Co II., d/b/a Champps Americana, for a second location at the Richfield Ice Arena, were received by the City on August 8, 2014.

On-sale wine licenses require owners of these establishments to comply with Resolution No. 9511, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.

There are no distance requirements to notify neighbors of the issuance or renewal of an on-sale wine license.

The Notice of Public Hearing was published in the Richfield Sun Current on September 11, 2014.

B. POLICY

- Richfield City Code Section 1202 requires owners of on-sale wine license establishments to comply with all of the provisions of both City Code and State Statutes.

C. CRITICAL TIMING ISSUES

- There are no critical timing issues.

D. FINANCIAL

- The City has accepted a pro-rated fee for the duration of four months, contingent on City Council approval.

E. LEGAL

- The requirements of Resolution No. 9511 must be met, which outlines the discipline they can expect if any ongoing problems occur. A copy of this resolution has been given to the owners of the establishment.
- The required proof of liability insurance coverage has been submitted showing Zurich American Insurance Company affording the coverage.

F. ENVIRONMENTAL CONSIDERATIONS

- There are no environmental considerations.

IV. ALTERNATIVE RECOMMENDATION(S)

- Reject the application for a new on-sale wine license for Champps at the Richfield Ice Arena.
- Deny the acceptance of pro-rated alcohol licensing fees.
- Schedule the hearing for another date. However, this will delay the licensing process.

V. ATTACHMENTS

- There are no attachments.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Scott Larson, General Manager of Champps, will be attending the meeting.



STAFF REPORT
CITY COUNCIL MEETING
SEPTEMBER 23, 2014

REPORT PREPARED BY:

ELIZABETH FINNEGAN,
CIVIL ENGINEER

NAME, TITLE

DEPARTMENT DIRECTOR REVIEW:



A handwritten signature in cursive, appearing to be "MJE".

SIGNATURE

OTHER DEPARTMENT REVIEW:



A handwritten signature in cursive, appearing to be "SD".

SIGNATURE

REVIEWED BY CITY MANAGER:



A handwritten signature in cursive, appearing to be "Steven J. Kowal".

ITEM FOR COUNCIL CONSIDERATION:

Public Hearing regarding a 5-year street reconstruction plan (2015-2019) and the issuance of street reconstruction bonds to finance the 2015 and 2016 reconstruction projects.

I. RECOMMENDED ACTION:

**Conduct and close the public hearing and by motion:
Adopt the attached resolution adopting a 5-year street reconstruction plan and authorizing issuance of street reconstruction bonds to finance the 2015 and 2016 reconstruction projects.**

II. EXECUTIVE SUMMARY

The City is authorized under Minnesota Statutes to prepare a five-year plan for street reconstruction and to issue general obligation bonds to finance the cost of the reconstruction described in the plan (Street Reconstruction Bonds).

Staff has prepared a Five-Year Reconstruction Plan for the purposes of utilizing the Street Reconstruction Bonds to finance the work in place of special assessments. The projects included in the plan and proposed resolution for up to \$15,000,000 in Street Reconstruction Bond funding are:

- 69th Street

- Residential Mill & Overlay
- Portland Avenue
- 76th Street West
- 66th Street

For planning purposes the proposed plan also identifies the following projects for reconstruction within the next 5 years:

- 65th Street Central
- Nicollet Avenue

The proposed plan includes the replacement of the City's underground utilities (storm, sewer, water) when a road is reconstructed.

(City staff will provide a brief presentation on the Five-Year Reconstruction Plan before opening the Public Hearing)

III. BASIS OF RECOMMENDATION

A. BACKGROUND

- At the July 8, 2014 Council Worksession the following projects were discussed as part of the plan:
 - 69th Street (2015)
 - Residential Mill & Overlay (2015-2020)
 - Portland Avenue (2015)
 - 76th Street West (2016)
 - 66th Street (2016-2017)
 - 65th Street Central (2017)
 - Nicollet Avenue (2019)
- At this time, staff is seeking preliminary approval to move forward with financing for the projects proposed for 2015-2016 reconstruction.

B. POLICY

- In order to utilize the Street Reconstruction Bonds, the following must occur:
 - Creation of a Five Year Street Reconstruction Plan
 - Public Hearing regarding the Five Year Street Reconstruction Plan and Issuance of Bonds
 - Adoption of a resolution approving the Plan and giving preliminary approval for the issuance of Bonds
 - City Council must approve the plan and issuance of bonds by a vote of all members present at the meeting.
- Within 30 days of the public hearing, voters may petition for a referendum, or vote, on issuing the bonds.

C. CRITICAL TIMING ISSUES

- The public hearing, adoption of the plan, bond issuance and reverse referendum period need to stay on track in order to provide sufficient time for design to complete the projects identified for 2015 reconstruction.

D. FINANCIAL

- The adoption of the proposed resolution provides preliminary approval for the issuance of street reconstruction bonds totaling \$15,000,000 to finance the projects identified for completion in 2015-16.
- The bond sales would occur of two years.
- The current estimates for the bonding portion of the projects are:

○ 69 th Street Storm Reconstruction	\$ 1,600,000
○ Residential Mill and Overlay	\$ 5,000,000
○ Portland Avenue Reconstruction	\$ 3,050,000
○ 66 th Street Reconstruction	\$ 3,100,000
○ 76 th Street Reconstruction	\$ 1,500,000
○ Bond fees / interest	<u>\$ 750,000</u>
Total	\$15,000,000

E. LEGAL

- Minnesota Statute requires the City to hold a public hearing on the plan and issuance of the bonds.
- All of the members of the City Council present at the meeting must vote to approve the plan and the issuance of the bonds.
- The bond issuance is subject to a 30-day reverse referendum period upon approval.
- The City Attorney prepared the resolution and will be available to answer questions.

F. ENVIRONMENTAL CONSIDERATIONS

- None.

IV. ALTERNATIVE RECOMMENDATION(S)

- The City Council may choose to postpone the adoption of the proposed resolution and direct staff on how to proceed.

V. ATTACHMENTS

- Resolution adopting a street reconstruction plan and authorizing issuance of street reconstruction bonds
- Five Year Street Reconstruction Plan
- Analysis of Tax Impact for Potential Borrowing
- Citywide mailing (delivered 9/12/2014)

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Area residents.

CITY OF RICHFIELD, MINNESOTA

RESOLUTION NO. ____

**RESOLUTION ADOPTING A STREET RECONSTRUCTION
PLAN AND AUTHORIZING ISSUANCE OF STREET
RECONSTRUCTION BONDS THEREUNDER**

BE IT RESOLVED by the City Council of the City of Richfield, Minnesota (the "City"), as follows:

Section 1. Background.

1.01. The City is authorized under Minnesota Statutes, Section 475.58, subdivision 3b (the "Act") to prepare a plan for street reconstruction in the City over the next five years that will be financed under the Act, including a description of the proposed work and estimated costs, and to issue general obligation bonds to finance the cost of street reconstruction activities described in the plan.

1.02. Before the issuance of any bonds under the Act, the City is required to hold a public hearing on the plan and issuance of the bonds.

1.03. Pursuant to the Act, the City, in consultation with its City engineer, has caused preparation of the "Five Year Street Reconstruction Plan 2015 – 2019 Projects" (the "Plan"), which describes certain street reconstruction activities in the City for the years 2015 through 2019. The reconstruction activities described in the Plan include, but are not limited to, the mill and overlay of residential streets in the City and reconstruction of 69th Street, Portland Avenue, 76th Street West, 66th Street, 65th Street Central, and Nicollet Avenue (collectively, the "Project").

1.04. The City has determined that it is in the best interests of the City to authorize the issuance and sale of general obligation street reconstruction bonds pursuant to the Act in the maximum principal amount of \$15,000,000 (the "Bonds"). The purpose of the Bonds is to finance the costs of the Project as described in the Plan.

1.05. On this date, the City Council held a public hearing on the Plan and the issuance of the Bonds, after publication in the City's official newspaper of a notice of public hearing at least 10 days but no more than 28 days before the date of the hearing.

Section 2. Plan Approved.

2.01. The City Council finds that the Plan will improve the City's street system, which serves the interests of the City as a whole.

2.02. The Plan is approved in the form on file in City Hall.

Section 3. Bonds Authorized.

3.01. The City is authorized to issue the Bonds in a maximum principal amount of \$15,000,000, in order to finance the Project described in the Plan. City staff, its financial advisor, and its legal counsel are authorized to take all actions needed to call for the sale of the Bonds, subject to the contingency described in Section 3.02 hereof.

3.02. If a petition requesting a vote on the issuance of the Bonds, signed by voters equal to five percent (5%) of the votes cast in the last municipal general election, is filed with the City Clerk within 30 days after the date of the public hearing, the City may issue the Bonds only after obtaining approval of a majority of voters voting on the question at an election. The authorization to issue the Bonds is subject to expiration of the 30-day period without the City's receipt of a qualified petition under the Act, or if a qualified petition is filed, upon the approving vote of a majority of the voters voting on the question of issuance of the Bonds.

3.03. City staff are authorized and directed to take all other actions necessary to carry out the intent of this resolution.

Adopted by the City Council of the City of Richfield, Minnesota this 23rd day of September, 2014.

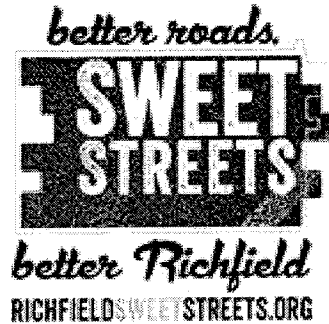
Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk

Five Year Street Reconstruction Plan

2015 – 2019 Projects



Residential Mill & Overlay (2015-2020)

As part of a 6 year initiative to perform major maintenance to extend the life of the City's residential roads, originally constructed in the mid-70s, asphalt streets will receive a mill and overlay. To date approximately 15 miles of the City's residential roads have previously received a mill and overlay with the remaining 85 miles to be completed over the course of the project. The project also includes catch basin repairs and curb and gutter repairs, along with replacement of City utility manholes. The bonding required to complete the project will be financed through the increase in Franchise Fees that was effective April 2014.

69th Street Reconstruction (2015)

Reconstruction of 69th Street from Humboldt to Knox Avenues which includes replacement of City utilities, including four 36" storm sewer lines.

Portland Avenue (2015)

Reconstruction of Portland Avenue (CR35) from 67th Street south to 77th Street. This project includes implementation of the three-lane section, improved sidewalk conditions, on-street bike lanes, multi-use trails, boulevards, and replacement of City utilities. Undergrounding of parallel overhead utilities will also take place.

76th Street West (2016)

Reconstruction of 76th Street between Sheridan and Xerxes Avenues. This project includes replacement of CenterPoint Energy's transmission line, City utilities, undergrounding of overhead parallel utilities, and retaining walls. The future cross-section will be determined through a public involvement process per City Complete Streets Policy.

66th Street (2016-2017)

Reconstruction of 66th Street (CR53) from Upton Avenue to Richfield Parkway. This project includes replacement of City utilities where identified, undergrounding of parallel overhead utility lines, and improved bicycle and pedestrian accommodations where feasible.

65th Street Central (2017)

Reconstruction of 65th Street between Nicollet Avenue and 66th Street. This project will replace the concrete road surface with asphalt. A City Complete Streets Policy involvement process would be used to determine the future cross-section.

Nicollet Avenue (2019)

Reconstruction of Nicollet Avenue from TH 62 to 77th Street. This projects future cross-section was identified as a three-lane section in the 2009 Arterial Roads Study and includes the replacement of CenterPoint Energy's transmission line and City utilities. The final cross-section will be determined through a City Complete Streets Policy involvement process.

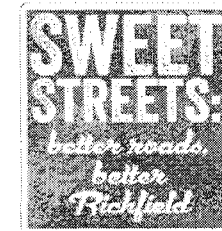
June 19, 2014



Five Year Street Reconstruction Plan (2015-2019)

Projected Funding Sources								
	69th Street Storm	Portland Avenue Reconstruction	6 Year Mill & Overlay	66th Street Reconstruction	76th Street West	65th Street Central	6 Year Mill & Overlay	Nicollet Avenue
Proposed Year	2015	2015	2015	2016	2016	2017	2018	2019
Street Recon Bonds	\$ 1,600,000	\$ 3,050,000	\$ 5,000,000	\$ 3,100,000	\$ 1,500,000	\$ 3,800,000	\$ 5,800,000	\$ 4,650,000
Mun. State Aid	\$ -	\$ 400,000		\$ 2,000,000	\$ -	\$ 1,600,000		\$ -
City Bond	\$ -	\$ -		\$ -	\$ -			\$ -
City Utility Funds								
Water	\$ -				\$ -			\$ -
Sanitary	\$ -			\$ -	\$ -			\$ -
Storm		\$ -		\$ -	\$ -			\$ -
Grants								
Federal	\$ -	\$ 3,750,000		\$ 7,840,000	\$ -			\$ -
State	\$ -	\$ -		\$ -	\$ -			\$ -
County	\$ -	\$ 475,000		\$ 23,439,000	\$ -			\$ 3,100,000
Other - unidentified	\$ -	\$ -		\$ -	\$ -			\$ -
Special Assessment	\$ -	\$ -		\$ -	\$ -			\$ -
Three Rivers Park District		\$ -		\$ -	\$ -			\$ -
Xcel Utility Rate Payers (CRFS)	\$ -	\$ 400,000		\$ 1,500,000	\$ 1,000,000			\$ -
CenterPoint Energy	\$ -	\$ -		\$ -	\$ 700,000			\$ 3,100,000
HRA	\$ -	\$ -		\$ -	\$ -			\$ -
TOTAL	\$ 1,600,000	\$ 8,075,000	\$ 5,000,000	\$ 37,879,000	\$ 3,200,000	\$ 5,400,000	\$ 5,800,000	\$ 10,850,000

	w/o M&O	
Total of Proposed Five Year Improvement	\$77,804,000	\$ 67,004,000
Proposed Bonding	\$28,500,000	\$ 17,700,000
% of Improvements Identified for Bonding	36.6%	26.4%



City of Richfield, Minnesota**Estimated Tax Impact**

July 2, 2014

20 Year Term

BOND ISSUANCE INFORMATION	
Bond Issue Amount	\$1,000,000
Number of Years	20
Average Interest Rate	3.14%
Estimated Bond Rating	S&P AA+
PROPERTY TAX INFORMATION	
Actual Net Tax Capacity - Payable 2013	22,509,172
Debt Levy @ 105% - Average	72,033
Estimated Tax Capacity Rate:	
Payable - 2013 Without Proposed Bonds	66.170%
Payable - 2013 With Proposed Bonds	66.490%
Estimated Tax Rate Increase	0.320%

TAX IMPACT ANALYSIS							
Type of Property	Estimated Market Value	Market Value Exclusion	Taxable Market Value	Net Tax Capacity	Current City Tax	Proposed Tax Increase*	Proposed City Tax
Residential Homestead	\$ 100,000	\$ 28,240	\$ 71,760	\$ 718	\$ 474.84	\$ 2.30	\$ 477.13
	150,000	23,740	126,260	1,263	835.46	4.04	839.50
	200,000	19,240	180,760	1,808	1,196.09	5.78	1,201.87
	250,000	14,740	235,260	2,353	1,556.72	7.53	1,564.24
	300,000	10,240	289,760	2,898	1,917.34	9.27	1,926.61
	350,000	5,740	344,260	3,443	2,277.97	11.02	2,288.99
	400,000	1,240	398,760	3,988	2,638.59	12.76	2,651.36
	450,000	-	450,000	4,500	2,977.65	14.40	2,992.05
	500,000	-	500,000	5,000	3,308.50	16.00	3,324.50

* The figures in the table are based on taxes for new bonded debt only, and do not include tax levies for other purposes. Tax increases shown above are gross increases, not including the impact of the state Property Tax Refund ("Circuit Breaker") program. Many owners of homestead property will qualify for a refund, based on their income and total property taxes. This will decrease the net tax effect of the bond issue for many property owners.



City of Richfield, Minnesota

\$1,000,000 General Obligation Bonds, Series 2014

Assumes Current Market BQ AA+ Rates plus 25 bps

20 Years

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	105% Overlevy
02/01/2015	-	-	-	-	-
02/01/2016	35,000.00	0.650%	34,506.25	69,506.25	72,981.56
02/01/2017	40,000.00	0.950%	27,377.50	67,377.50	70,746.38
02/01/2018	40,000.00	1.200%	26,997.50	66,997.50	70,347.38
02/01/2019	40,000.00	1.550%	26,517.50	66,517.50	69,843.38
02/01/2020	45,000.00	1.800%	25,897.50	70,897.50	74,442.38
02/01/2021	45,000.00	2.100%	25,087.50	70,087.50	73,591.88
02/01/2022	45,000.00	2.300%	24,142.50	69,142.50	72,599.63
02/01/2023	45,000.00	2.500%	23,107.50	68,107.50	71,512.88
02/01/2024	45,000.00	2.650%	21,982.50	66,982.50	70,331.63
02/01/2025	50,000.00	2.800%	20,790.00	70,790.00	74,329.50
02/01/2026	50,000.00	2.950%	19,390.00	69,390.00	72,859.50
02/01/2027	50,000.00	3.100%	17,915.00	67,915.00	71,310.75
02/01/2028	50,000.00	3.200%	16,365.00	66,365.00	69,683.25
02/01/2029	55,000.00	3.300%	14,765.00	69,765.00	73,253.25
02/01/2030	55,000.00	3.350%	12,950.00	67,950.00	71,347.50
02/01/2031	60,000.00	3.450%	11,107.50	71,107.50	74,662.88
02/01/2032	60,000.00	3.500%	9,037.50	69,037.50	72,489.38
02/01/2033	60,000.00	3.600%	6,937.50	66,937.50	70,284.38
02/01/2034	65,000.00	3.650%	4,777.50	69,777.50	73,266.38
02/01/2035	65,000.00	3.700%	2,405.00	67,405.00	70,775.25
Total	\$1,000,000.00	-	\$372,056.25	\$1,372,056.25	\$1,440,659.06

Significant Dates

Dated	11/01/2014
First Coupon Date	8/01/2015

Yield Statistics

Bond Year Dollars	\$11,710.00
Average Life	11.710 Years
Average Coupon	3.1772523%
Net Interest Cost (NIC)	3.1772523%
True Interest Cost (TIC)	3.1360771%
Bond Yield for Arbitrage Purposes	3.1360771%
All Inclusive Cost (AIC)	3.1360771%

IRS Form 8038

Net Interest Cost	3.1772523%
Weighted Average Maturity	11.710 Years



BETTER ROADS, BETTER RICHFIELD

5-Year Street Reconstruction Plan

A public hearing will take place on
September 23 at 7:00 p.m.
at Richfield City Hall Council Chambers
regarding a 5-year street reconstruction plan
and the issuance of street reconstruction
bonds for the 2015-2016 projects
listed to the right.

A street reconstruction plan is designed to
anticipate street reconstruction expenditures
and schedule them over a five-year period so
they may be purchased in the most efficient
and cost-effective manner.

PROJECTS*

Residential Mill & Overlay (2015-2020)

(funded by Gas & Electric Franchise Fee increase effective April 2014)

Mill and overlay of 100 miles of asphalt streets, including catch basin and curb and gutter repairs, along with utility manhole replacements.

69th Street Reconstruction (2015)

From Humboldt to Knox Avenues, including replacement of City utilities.

Portland Avenue (CR35) (2015)

67th Street South to 77th Street, including implementation of three-lane section, improved sidewalk conditions, on-street bike lanes, multi-use trails, boulevards, replacement of City utilities, and undergrounding of parallel overhead utilities.

76th Street West (2016)

Between Sheridan and Xerxes Avenues, including replacement of CenterPoint Energy transmission line, City utilities, undergrounding of overhead parallel utilities, and retaining walls.

66th Street (CR53) (2016-2017)

Upton Avenue to Richfield Parkway, including replacement of City utilities where identified, undergrounding of parallel overhead utility lines, and improved bicycle and pedestrian accommodations where feasible.

65th Street Central (2017)

Between Nicollet Avenue and 66th Street, including replacement of concrete road surface.

Nicollet Avenue (2019)

TH 62 to 77th Street, including implementation of three-lane section, replacement of CenterPoint Energy transmission line and City utilities.

*70% of project investment is for replacement of City Utilities – water, sewer, storm.

**5-Year Street Reconstruction Plan
Estimated Annual Property Tax Increase (20 YR)**

Property Value	2015	2016
\$100,000	\$10.70	\$10.58
\$150,000	\$18.79	\$18.58
\$200,000	\$26.89	\$26.59
\$250,000	\$35.01	\$34.64

Total Proposed Five-Year Improvement	\$77,804,000
Total Proposed 2015-2016 Improvements	\$55,754,000
Proposed Five-Year Bonding	\$28,500,000
Proposed 2015-2016 Bonding	\$14,250,000
Total Five-Year Bonding Improvement %	36.6%
Total 2015-2016 Bonding Improvement %	25.6%

Public Hearing: Tuesday, September 23, 2014
7 p.m. City Council Meeting
Richfield Municipal Center—Council Chambers
6700 Portland Avenue, 55423

Comments or questions:
Kristin Asher, City Engineer,
612-861-9795 or
kasher@cityofrichfield.org



Visit richfieldsweetstreets.org/5yearstreet
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STAFF REPORT

CITY COUNCIL MEETING

SEPTEMBER 23, 2014

REPORT PREPARED BY:

STEVEN L. DEVICH, CITY MANAGER

NAME, TITLE

DEPARTMENT DIRECTOR REVIEW:



SD
SIGNATURE

OTHER DEPARTMENT REVIEW:



N/A

SIGNATURE

REVIEWED BY CITY MANAGER:



Steven L. Devich

ITEM FOR COUNCIL CONSIDERATION:

Conduct a public hearing to consider the application for the transfer of the cable system from Comcast of Minnesota, Inc., the existing cable television franchisee, to Greatland Connections, a newly formed entity that will hold the cable system.

I. RECOMMENDED ACTION:

By Motion: Open a public hearing, take testimony and continue the public hearing regarding the proposed transfer of control of the cable television franchise from Comcast Cable Communications, LLC to Greatland Connections until complete information concerning this proposed transfer is available to the City Council for consideration.

II. EXECUTIVE SUMMARY

On or about June 18, 2014 each of the five member cities of the Southwest Suburban Cable Commission ("SWSCC") received from Comcast FCC Form 394 ("Form 394") requesting approval of a transfer of the cable system from Comcast to Midwest Cable, Inc. ("Midwest"). Under FCC regulations, the member cities have 120 days to approve or deny the proposed transfer. The decision to approve or deny the transfer must be made by each member city, not the Commission. Failure of each member city to act within 120 days on Form 394 serves as an implied approval of the transfer. Moreover, the member cities have an initial 30 day period within which to inform the cable operators whether Form 394 is

complete and accurate and whether additional information will be required to determine the qualifications of the proposed transferee.

A letter dated July 17, 2014, was sent on behalf of the SWSCC informing Comcast that the information contained within Form 394 was not complete or adequate and that additional information would be required before a decision could be made. Moreover, the SWSCC indicated that because Form 394 was not accurate or complete, the 120 day timeframe established by the FCC for review of Form 394 has not yet commenced.

In subsequent correspondence, it was mutually agreed by Comcast and the SWSCC that the time period for the SWSCC, and ultimately the member cities, to respond to this requested transfer would be extended to December 15, 2014. Moreover, the name of the proposed transferee was changed from Midwest Cable, Inc. to SpinCo. and again to Greatland Connections.

At this point, we are challenged by the fact that we still do not know what entity will actually be running the cable system if the transactions are ultimately closed. We understand that Greatland Connections will ultimately own the cable systems, although it is not clear if they will have any operational employees. Charter Communications ("Charter") will apparently be engaged via a "Charter Services Agreement" that Comcast has not yet shared, and that agreement will apparently authorize Charter, not Greatland Connections, to run the technical and operational side of the cable system. However, it is not clear if it will be Charter's employees or Greatland Connection's employees physically present in the field and working in the member cities. Nor is it clear whether existing Minnesota Comcast staff and personnel (customer service, technical personnel, government relations) will be retained by Greatland Connections, Charter or at all.

Of particular concern, Comcast has also failed to provide requested financial information related to the transferee's financial qualifications to own and operate the cable systems serving the member cities.

Moss and Barnett, the attorneys for the SWSCC, are now in the process of trying to collect the information needed for the SWSCC, and ultimately the member cities, to make an informed decision regarding the proposed transfer. It is unlikely that such information will be available for consideration by the SWSCC until they meet on October 22. Once a recommendation on the proposed transfer has been made by the SWSCC, it will be passed on to each member city, along with all related information, so that each respective member City of the SWSCC can close their respective public hearing and take action on the proposed transfer request.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

- The background is fully contained in the Executive Summary.

B. POLICY

- A public hearing was deemed necessary in that the City should perform due diligence in determining any potential adverse impact on Richfield cable subscribers.
- The five cities of the SWSCC will conduct a public hearing before deciding on the transfer.

C. CRITICAL TIMING ISSUES

- Given that the City does not yet have the benefit of the commission's recommendation nor the final report to be prepared by Moss & Barnett, staff recommends that the City listen to all interested parties at tonight's public hearing, and thereafter, continue the public hearing until such time as all such information is presented to the City Council.

D. FINANCIAL

- The transfer of control should have no adverse impact on the financial arrangements between the cable provider and the City of Richfield.
- The cost of processing the transfer could cost the SWSCC member cities several thousand dollars. However, the SWSCC will seek reimbursement by the cable company for those costs.

E. LEGAL

- Under state and federal law as well as the City's ordinance, the City may review the qualifications of the prospective controlling party.
- The Moss & Barnett report will outline their recommendations regarding the legal, technical and financial qualifications of Comcast under the proposed transfer. The report will also incorporate appropriate closing documentation including a detailed resolution and related documents. The SWSCC is expected to issue a recommendation to the City in late October concerning the transfer application.

F. ENVIRONMENTAL CONSIDERATIONS

- None

IV. ALTERNATIVE RECOMMENDATION(S)

- None

V. ATTACHMENTS

- None.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- None



STAFF REPORT

CITY COUNCIL MEETING

SEPTEMBER 23, 2014

REPORT PREPARED BY:

MELISSA POEHLMAN, CITY PLANNER

NAME, TITLE

DEPARTMENT DIRECTOR REVIEW:



OTHER DEPARTMENT REVIEW:



REVIEWED BY CITY MANAGER:



SIGNATURE

SIGNATURE

(Acting City Mgr.)

ITEM FOR COUNCIL CONSIDERATION:

Consideration of a resolution, and first reading of an ordinance establishing a six-month moratorium on the consideration of medical marijuana distribution facilities.

I. RECOMMENDED ACTION:

By Motion: Approve the attached resolution and conduct a first reading of an ordinance establishing a six-month moratorium on consideration of medical marijuana distribution facilities. Schedule a public hearing and second reading of the attached ordinance for October 14, 2014.

II. EXECUTIVE SUMMARY

The Minnesota State Legislature recently approved the Medical Cannabis Therapeutic Research Act of 2014 ("Act"). This Act allows for the manufacturing and distribution of medical marijuana and calls for approved manufacturers to secure distribution facility sites that are distributed throughout the State. The City has received at least two inquiries about potential distribution facilities in Richfield. Richfield's current codes do not address permitting or zoning requirements for medical marijuana distributors.

Given the unique characteristics of this use, City staff is recommending adoption of a six-month moratorium on consideration of distribution facilities so that this issue

can be properly studied and, if determined necessary, City Ordinances can be amended. During the moratorium period, applications for any approvals related to medical marijuana distribution facilities shall not be accepted.

III. BASIS OF RECOMMENDATION

A. BACKGROUND

- None

B. POLICY

- State Law allows cities to adopt interim ordinances for the purposes of protecting the planning process and the health, safety and welfare of its citizens.
- The City Attorney agrees that the adoption of a moratorium ordinance related to medical marijuana distribution facilities would be appropriate while the City studies this new use.

C. CRITICAL TIMING ISSUES

- The City has had two inquiries about potential distribution facilities. Until this item can be examined fully, a moratorium should be enacted.
- The proposed moratorium extends for six months; however, the City can repeal the moratorium at an earlier time if studies have been completed and necessary ordinance changes adopted.

D. FINANCIAL

- None

E. LEGAL

- The City Attorney has reviewed the attached Resolution and Ordinance.

F. ENVIRONMENTAL CONSIDERATIONS

- None

IV. ALTERNATIVE RECOMMENDATION(S)

- Do not approve or approve with modifications, the attached resolution and ordinance.
- Approve a moratorium for a different length of time (up to one year).

V. ATTACHMENTS

- Resolution
- Ordinance

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Legal counsel

**CITY OF RICHFIELD
STATE OF MINNESOTA**

RESOLUTION NO. _____

**A RESOLUTION ESTABLISHING A MORATORIUM ON THE CONSIDERATION OF
MEDICAL MARIJUANA DISTRIBUTION FACILITIES,
AND DIRECTING THAT A PLANNING STUDY BE CONDUCTED**

WHEREAS, the Minnesota State Legislature has approved the Medical Cannabis Therapeutic Research Act of 2014 ("Act") which allows for the manufacturing and distribution of medical marijuana; and

WHEREAS, the Act requires that approved manufacturers operate a total of four distribution facilities that are distributed throughout the State; and

WHEREAS Richfield City Codes do not address the permitting or zoning requirements of medical marijuana distributors; and

WHEREAS the City has received at least two inquiries about potential distribution facilities which further evidences the need for the City to study and determine whether it should adopt official controls related to medical marijuana distribution facilities; and

WHEREAS the Act restricts locations near schools and co-location with health-care practitioners, but does not preclude the City from placing additional locational or regulatory requirements on medical marijuana distribution facilities; and

WHEREAS the lack of an adequate and available zoning classification and permitting controls that corresponds to the establishment of medical marijuana distribution facilities is a barrier to staged and orderly implementation of the Comprehensive Plan and is contrary to the fundamental precepts of orderly municipal planning; and

WHEREAS the public interest will be harmed if adequate permitting controls and zoning classifications are not adopted; and

WHEREAS the City Council has determined a need to undertake a study to determine the appropriate permitting and land use controls for medical marijuana distribution facilities; and

WHEREAS upon completion of the study, the City Council, together with such city commissions as the City Council deems appropriate or as may be required by law, will consider the advisability of amending certain official controls.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota as follows:

1. The City Council finds that it is necessary to conduct planning studies to determine the appropriate permitting and land use controls that should apply to medical marijuana distribution facilities and to protect the planning process and the health, safety, and welfare of its citizens.
2. The purpose of the studies to be conducted includes, but is not limited to determining the appropriate permitting and licensing standards, and land use and development standards that should apply to medical marijuana distribution facilities

and determining the appropriate changes, if any, that should be made to City Ordinances.

3. The City Council finds that there is a need to adopt a City-wide moratorium, while the studies referenced in paragraph 1 of this resolution are being conducted.

4. The City Council finds that this moratorium should apply to, but not necessarily be limited to, the following types of land use applications: comprehensive land use plan amendments, requests for rezoning, subdivisions, variances, conditional use permits, site plan review, and building permits for construction or operation of medical marijuana distribution facilities.

5. A study is authorized to be conducted by City staff, to be followed by consideration of potential changes to the City's Ordinances by the City Council and such other commissions of the City as required by law or as directed by the City Council.

6. Pending completion of the study and adoption of any amendments to the City's official controls, a moratorium is established on the issuance of City approvals for medical marijuana distribution facilities.

7. During the period of the moratorium, applications for any such approvals related to medical marijuana distribution facilities shall not be accepted by the City nor shall the Planning Commission or City Council consider or grant approval of any such application.

8. The Moratorium established by this resolution shall apply to any application pending as of the date of this resolution.

9. Unless earlier repealed by the City Council, the moratorium established under this resolution shall remain in effect until April 15, 2015.

10. This resolution is effective upon adoption.

Deborah Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk

**CITY OF RICHFIELD
STATE OF MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING A MORATORIUM ON THE CONSIDERATION OF
MEDICAL MARIJUANA DISTRIBUTION FACILITIES,
AND DIRECTING THAT A PLANNING STUDY BE CONDUCTED**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Background.

- 1.01. The Minnesota State Legislature has approved the Medical Cannabis Therapeutic Research Act of 2014 ("Act") which allows for the manufacturing and distribution of medical marijuana.
- 1.02. The Act requires that approved manufacturers operate a total of four distribution facilities that are distributed throughout the State.
- 1.03. The Richfield City Codes do not address the permitting or zoning requirements of medical marijuana distributors.
- 1.04. The City has received at least two inquiries about potential distribution facilities which further evidence the need for the City to study and determine whether it should adopt official controls related to medical marijuana distribution facilities.
- 1.05. The Act restricts locations near schools and co-location with health-care practitioners, but does not preclude the City from placing additional locational or regulatory requirements on medical marijuana distribution facilities.
- 1.06. The lack of an adequate and available zoning classification and permitting controls that corresponds to the establishment of medical marijuana distribution facilities is a barrier to staged and orderly implementation of the Comprehensive Plan and is contrary to the fundamental precepts of orderly municipal planning.
- 1.07. The public interest will be harmed if adequate permitting controls and zoning classifications are not adopted.
- 1.08. The City Council has determined a need to undertake a study to determine the appropriate permitting and land use controls for medical marijuana distribution facilities.
- 1.09. Upon completion of the study, the City Council, together with such city commissions as the City Council deems appropriate or as may be required by law, will consider the advisability of amending certain official controls.
- 1.10. Minnesota Statutes, Section 462.355, Subdivision 4 allows the City to adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.

Sec. 2. Findings.

- 2.01 The City Council finds that it is necessary to conduct planning studies to determine the appropriate permitting and land use controls that should apply to medical marijuana distribution facilities and to protect the planning process and the health, safety, and welfare of its citizens.
- 2.02 The purpose of the studies to be conducted includes, but is not limited to determining the appropriate permitting and licensing standards, and land use and development standards that should apply to medical marijuana

distribution facilities and determining the appropriate changes, if any, that should be made to City Ordinances.

- 2.03 The City Council finds that there is a need to adopt a City-wide moratorium Ordinance, while the studies referenced in Section 2.01 are conducted.
- 2.04 The City Council finds that this moratorium should apply to, but not necessarily be limited to, the following types of land use applications: comprehensive land use plan amendments, requests for rezoning, subdivisions, variances, conditional use permits, site plan review, and building permits for construction or operation of medical marijuana distribution facilities.

Sec. 3. Planning Study: Moratorium.

- 3.01. A study is authorized to be conducted by City staff, to be followed by consideration of potential changes to the City's Ordinances by the City Council and such other commissions of the City as required by law or as directed by the City Council.
- 3.02. Pending completion of the study and adoption of any amendments to the City's official controls, a moratorium is established on the issuance of City approvals for medical marijuana distribution facilities.
- 3.03 During the period of the moratorium, applications for any such approvals related to medical marijuana distribution facilities shall not be accepted by the City nor shall the Planning Commission or City Council consider or grant approval of any such application.
- 3.04 The moratorium established by this Ordinance shall apply to any application pending as of the date of this Ordinance, but it shall not apply to a subdivision or consolidation that has received preliminary plat approval prior to the adoption of Resolution No. _____, nor shall the moratorium extend the timeline for acting upon an application as provided in Minnesota Statutes, Section 15.99. Any application submitted to which the moratorium applies shall be denied unless the application includes a specific request that it be excepted from the Moratorium, in which case the City staff shall submit the application to the City Council for consideration of granting an exception.
- 3.05 The City Council may approve exceptions to this Moratorium for an application if the City Council, in its sole discretion, determines that the approval being sought will not interfere with the purposes for which this moratorium was adopted.

Sec. 4. Enforcement. The City may enforce this Ordinance by mandamus, injunction or other appropriate civil remedy in any court of competent jurisdiction.

Sec. 5. Term. Unless earlier repealed by the City Council, the moratorium established under this Ordinance shall remain in effect until April 15, 2015. The moratorium may be extended for a reasonable time, in accordance with Minnesota Statutes Section 462.355.

Sec. 6. Effective Date. This Ordinance is effective as provided by Section 3.09 of the Richfield City Charter.

Deborah Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk